

64684-5

10/23/2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



Office of Pesticide Programs

E Paint Company
25 Research Road
East Falmouth, MA 02536

OCT 23 2008

Attention: Kimberly Fontaine-Goodwin

Subject: E Paint SN-1
EPA Registration No. 64684-5
Amendment Dated October 6, 2008

This will acknowledge receipt of your notification for a change in package size and Net Contents (pint and 55 gallon Drum), submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification dated October 6, 2008 is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your file.

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

Sincerely

Marshall Swindell
Product Manager (33)
Regulatory Management Branch 1
Antimicrobials Division (7510P)

Please read instructions on reverse before completing form.

Form Approved OMB No. 2070-0060

Print Form



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number E Paint Company	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) E Paint SN-1	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) E Paint Company 25 Research Road East Falmouth, MA 02536 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. 64684-5 Product Name E Paint SN-1	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

This form is to notify the EPA that ePaint Company would like to add to Section III Box 4. on EPA Form 8570-1, Pint and 55 Gallon Drum to our current Retail Container sizes.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	
	If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container Pint, Gallon, 5Gallon Pail, 55Gallon Drum		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Kimberly Fontaine-Goodwin	Title Operations Manager	Telephone No. (include Area Code) 508-540-4412
2. Signature 		6. Date Application Received (Stamped)
3. Title Operations Manager		
4. Typed Name Kimberly Fontaine-Goodwin		
5. Date 10/6/08		

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.



October 6, 2008

PM #33
US EPA, OPP Antimicrobials Division
Mr. Marshall Swindell
7510 P One Potomac Yard/2777 South Crystal Drive
Arlington, VA 22202

In support of Notification dated 10/6/2008 for EPA# 64684-5.

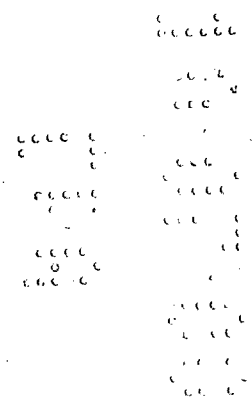
Notification per PR Notice 98-10. Changes in Package Size and Net Contents

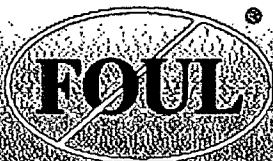
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Sincerely,

Kimberly Fontaine Goodwin

Kimberly Fontaine-Goodwin





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.

SN-1 EP-1

*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

Active Ingredient
 4, 5-Dichloro-2-isothiazolone
 Inert Ingredients

Use Restricted
 Navy ship applications only

Contains Epoxy Resin
 EPA Registered
 EPA Estimated

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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 and may cause severe skin irritation. Product may be fatal if swallowed or absorbed through the skin. Harmful if swallowed, inhaled or absorbed through the skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not get in eyes, on skin or on clothing. Avoid contact with skin. This product is a dermal sensitizer. Where skin and eye contact may occur, wear eye protection such as goggles or face shield, rubber gloves, full body coverings such as coveralls and hat, and other protective clothing such as long sleeved shirt, long pants, and head covering to prevent skin contact. Avoid breathing vapor, mist, dust or chips from painting and sanding. Use adequate ventilation. 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, coverall beneath the Tyvek hooded coverall, 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

nt
ro-2-n-octyl-3(2H)-
12.91%
97.09%
100.0%
Directions: For use in Commercial or
yards only. Not for use by private
or marinas. Not for use on station-
es.
roleum Distillates
o. 64684-5
shment No. 64684-MA-001

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