

5. The following certification statement:

I certify that this notification is complete in accordance with the provisions of EPA's reduced REI policy and that no other changes have been made to the labeling or the confidential statement of formula of this product. I further understand that if this notification does not comply with the terms of EPA's reduced REI policy, this product may be in violation of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA. I understand that the Agency may direct a change in the REI of a product subject to this notice if the Agency determines that a change is appropriate, and that products may be subject to regulatory and enforcement action if the appropriate changes are not made.

Notifications should be sent to:  
U.S. Postal Service Deliveries,  
Document Processing Desk (WPS:95-1), Office of Pesticide Programs (7504C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460-0001.

Personal/Courier Service Deliveries (Monday thru Friday, 8 a.m. to 4:30 p.m. except Federal holidays),  
Document Processing Desk (WPS:95-1), Office of Pesticide Programs (7504C), Environmental Protection Agency, Rm. 266A, Crystal Mall 2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

#### B. Final Printed Labeling

For each product, final printed labeling must be submitted either as part of the notification or separately in accordance with PR Notice 82-2, before the product may be distributed or sold.

#### VIII. Sale and Distribution of Pesticide Products Qualifying for a Reduced REI

After the registrant has submitted the information and certification specified in Unit VII of this document, the registrant may sell or distribute products bearing the registrant-certified revised labeling that was submitted to the Agency.

Such registrants may revise labeling of products already in channels of trade through stickering or full relabeling. Stickering, or full relabeling, may occur at sites where product is not under direct registrant control (such as distribution or retail sites) by any person the registrant designates and without registration of the site as a pesticide producing establishment. However, the registrant retains full responsibility for ensuring that such labeling modifications are carried out correctly.

#### IX. Agency Determination to Revise the REI

FIFRA section 6(a)(2) requires that registrants submit to the Agency "additional factual information regarding unreasonable adverse effects on the environment of the pesticide." Registrants may become aware of information or data concerning adverse effects, illnesses or injury associated with exposure of an agricultural worker to a pesticide product or its use, including those resulting from post-application exposures. The Agency generally regards this information as relevant to the Agency's on-going assessment of the risks associated with pesticide products.

If, on the basis of information received from a registrant or other sources, the Agency determines that the REI should be increased, the Agency will inform the registrant of that determination and of the new REI to replace the existing REI. The Agency will also inform the registrant at that time of actions, if any, that must be taken with respect to existing stocks of product labeled with a 4-hour REI.

Reregistration decisions or decisions resulting from other Agency review processes may supersede this policy statement. Please note that REIs established through the streamlined notification procedure in this policy are considered to be interim REIs. Once an active ingredient has gone through the reregistration process, it may result in an active ingredient either being removed or added to the candidate list, and a subsequent change in the length of the REI.

#### X. Compliance

Registrants are responsible for the content and accuracy of labeling and for compliance with labeling requirements. The Agency will monitor selected submissions to verify compliance with the required criteria in this policy statement. Registrants that submit notifications which do not comply with this policy or EPA's requirements may be subject to enforcement action under FIFRA sections 12 and 14.

Registrants electing to sell or distribute products bearing registrant-verified revised labeling are responsible for correcting any errors on the proposed label. In most cases, incorrectly reducing the REI from 12 hours to 4 hours would be considered a serious error possibly requiring stop-sale orders, recalls, or civil penalties. A serious error is one which may create a potential for harm to workers, handlers,

or other persons, or the environment, or when the errors prevent achievement of the basic goals of the WPS or FIFRA.

#### XI. Public Docket

A record has been established for this policy statement under docket number "OPP-00399" A public version of this record, which does not include any information claimed as confidential business information, is available for inspection from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in Rm. 1132, Office of Pesticide Programs (7506C), Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

#### XII. Consultations

##### A. Executive Order 12866

This action was submitted to the Office of Management and Budget (OMB) for review under Executive Order 12866 (58 FR 51735, October 4, 1993). Any comments or changes made during OMB's review have been documented in the public record.

##### B. Unfunded Mandates Reform Act

Pursuant to Title II of the Unfunded Mandates Reform Act of 1995, which the President signed into law on March 22, 1995, EPA has assessed the effects of this administrative decision on State, local, and tribal governments, and the private sector. This action does not result in the expenditure of \$100 million or more by any State, local or tribal governments, or by anyone in the private sector. In fact, this action actually involves a reduction in burden and overall cost.

In addition to the consultations prior to proposal, EPA has had several informal consultations regarding the proposed rule with some States through the EPA regional offices and at regularly scheduled State meetings. No significant issues or information were identified as a result of EPA's discussion with the States.

#### List of Subjects in 40 CFR Part 156

Environmental protection, Labeling, Occupational safety and health, Pesticides and pest, Reporting and recordkeeping requirement.

Dated: April 26, 1995.

**Daniel M. Barolo,**

*Director, Office of Pesticide Programs.*

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