§ 161.55 Agricultural vs. non-agricultural pesticides.

Section 25(a)(1) of FIFRA instructs the Administrator to “take into account the difference in concept and usage between various classes of pesticides and differences in environmental risk and the appropriate data for evaluating such risk between agricultural and non-agricultural pesticides.” This part distinguishes the various classes of pesticide use (e.g., crop vs. non-crop) and the corresponding data necessary to support registration under FIFRA. This information is present in each data requirement table. In addition, the Use Pattern Index (appendix A) is a comprehensive list of pesticide use patterns, cross-referenced to the general use patterns appearing in the tables; the index will further assist the reader in distinguishing agricultural versus non-agricultural uses of pesticides.

§ 161.70 Acceptable protocols.

The Agency has published Pesticide Assessment Guidelines, as indicated in §161.20(d), which contain suggested protocols for conducting tests to develop the data required by this part.

(a) General policy. Any appropriate protocol may be used provided that it meets the purpose of the test standards specified in the guidelines and provides data of suitable quality and completeness as typified by the protocols cited in the guidelines. Applicants should use the test procedure which is most suitable for evaluation of the particular ingredient, mixture, or product. Accordingly, failure to follow a suggested protocol will not invalidate a test if another appropriate methodology is used.

(b) Organization for Economic Co-operation and Development (OECD) Protocols. Tests conducted in accordance with the requirements and recommendations of the applicable OECD protocols can be