(b) A device is not required to be registered under FIFRA sec. 3. The Agency has issued a policy statement concerning its authority and activities with respect to devices, which was published in the Federal Register of November 19, 1976 (41 FR 51065). A device is subject to the requirements set forth in:

(1) FIFRA sec. 2(q)(1) and part 156 of this chapter, with respect to labeling;
(2) FIFRA sec. 7 and part 167 of this chapter, with respect to establishment registration and reporting;
(3) FIFRA sec. 8 and part 169 of this chapter, with respect to books and records;
(4) FIFRA sec. 9, with respect to inspection of establishments;
(5) FIFRA sec. 12, 13, and 14, with respect to violations, enforcement activities, and penalties;
(6) FIFRA sec. 17, with respect to import and export of devices;
(7) FIFRA sec. 25(c)(3), with respect to child-resistant packaging; and
(8) FIFRA sec. 25(c)(4), with respect to the Agency’s authority to declare devices subject to certain provisions of the Act.


PART 153—REGISTRATION POLICIES AND INTERPRETATIONS

Subparts A–F [Reserved]

Subpart G—Determination of Active and Inert Ingredients

Sec.
153.125 Criteria for determination of pesticidal activity.

Subpart H—Coloration and Discoloration of Pesticides

153.140 General.
153.155 Seed treatment products.

Subparts I–M [Reserved]

AUTHORITY: 7 U.S.C. 136w.

Subparts A–F [Reserved]
Environmental Protection Agency

and Cosmetic Act with respect to toler-
ances or other clearance of ingredients.

[53 FR 15989, May 4, 1988, as amended at 60
FR 32096, June 19, 1995]

Subpart H—Coloration and
Discoloration of Pesticides

SOURCE: 53 FR 15990, May 4, 1988, unless
otherwise noted.

§ 153.140 General.

Section 25(c)(5) of the Act authorizes
the Administrator to prescribe regula-
tions requiring coloration or discolora-
tion of any pesticide if the Adminis-
trator determines that such require-
ments are feasible and necessary for
the protection of health and the envi-
ronment. This subpart describes those
pesticide products which must be col-
ored or discolored.

[60 FR 32096, June 19, 1995]

§ 153.155 Seed treatment products.

(a) Pesticide products intended for
use in treating seeds must contain an
EPA-approved dye to impart an un-
natural color to the seed, unless appro-
priate tolerances or other clearances
have been established under the Fed-
eral Food, Drug and Cosmetic Act for
residues of the pesticide.

(b) The following products are ex-
empt from the requirement of para-
graph (a) of this section:

(1) Products intended and labeled for
use solely by commercial seed treaters,
provided that the label bears a state-
ment requiring the user to add an EPA-
approved dye with the pesticide during
the seed treatment process.

(2) Products intended and labeled for
use solely as at-planting or hopper box
treatments.

(3) Products which are gaseous in
form or are used as fumigants.

(c) EPA-approved dyes for seed treat-
ment are listed in:

(1) Sections 180.910, 180.920, and
180.950 if an exemption from the re-
quirement of a tolerance has been es-

dablished.

(2) Section 180.2010 if EPA has deter-

180.2010 if EPA has deter-
determined that no tolerance or exemp-
tion from the requirement of a toler-
ance is needed as a result of a deter-
mination by EPA that the use is un-
likely to result in residues in food/feed.

[53 FR 15990, May 4, 1988, as amended at 66
FR 66772, Dec. 27, 2001; 69 FR 23117, Apr. 28,
2004]

Subparts I–M [Reserved]

PART 154—SPECIAL REVIEW
PROCEDURES

Subpart A—General Provisions

§ 154.1 Purpose and scope.

(a) Purpose. The purpose of the Special
Review process is to help the Agency
determine whether to initiate proce-
dures to cancel, deny, or reclassify reg-
istration of a pesticide product because
uses of that product may cause unreas-
onable adverse effects on the environ-
ment, in accordance with sections
3(c)(6) and 6 of the Federal Insecticide,