ENVIRONMENTAL PROTECTION AGENCY


Inert Ingredients: Updates to Lists of Inert Ingredients Permitted in Pesticide Products

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has released on its website updates to the listings of inert ingredients permitted in pesticide products applied to non-food sites, including those permitted for use in minimum risk pesticides exempted under FIFRA Section 25(b) and those eligible for USDA’s National Organic Program. The lists were last updated in 2004.

FOR FURTHER INFORMATION CONTACT: Karen Angulo, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 306–0404; fax number: (703) 605–0781; e-mail address: angulo.karen@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. To determine whether you or your business may be affected by this action, you should carefully examine the applicability provisions in Unit II. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under FOR FURTHER INFORMATION CONTACT.

B. How Can I Get Copies of this Document and Other Related Information?

1. Docket. EPA has established a docket for this action under docket identification (ID) number EPA–HQ–OPP–2007–1174. Publicly available docket materials are available either in the electronic docket at http://www.regulations.gov, or if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305–5805.

2. Electronic access. You may access this Federal Register document electronically through the EPA Internet under the “Federal Register” listings at http://www.epa.gov/fedrgstr.

II. What Action is the Agency Taking?

EPA has released on its website updates to the listing of inert ingredients permitted in pesticide products. The lists were last updated in 2004. The website address for the updated lists is http://www.epa.gov/oppr001/inerts/lists.html.

EPA’s website now provides a list of inert ingredients permitted in pesticide products applied to non-food sites (e.g., ornamental plants, highway right-of-ways, rodent control, etc.). This list has been updated with new inert ingredients approved for use in non-food pesticide products since 2004. The website also provides directions for finding in the electronic Code of Federal Regulations (e-CFR) tolerances and tolerance exemptions for inert ingredients that may be used in pesticide products applied to food commodities. It is important to note that only inert ingredients with tolerances or tolerance exemptions found in the Code of Federal Regulations may be used in food-use pesticide products, and must be in accordance with the uses and limitations (if any).
Program (NOP), EPA’s website now provides access to a consolidated list of inert ingredients eligible for the NOP through links to USDA’s NOP website. In the past, stakeholders had to search the inert ingredient list on EPA’s website for NOP-eligible inert ingredients (i.e., inert ingredients considered to be “List 4” under an old policy). It is important to note that all matters of policy concerning the eligibility of inert ingredients for use in the NOP are determined by USDA. EPA’s role is to assist USDA by assuring that USDA’s policies are implemented with regard to organic claims made on registered pesticide product labeling.

List of Subjects

Environmental protection,
Administrative practice and procedure,
Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.


Lois Rossi,
Director, Registration Division, Office of Pesticide Programs.

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ENVIRONMENTAL PROTECTION AGENCY


Draft List of Initial Pesticide Active Ingredients and Pesticide Inerts to be Considered for Screening under the Federal Food, Drug, and Cosmetic Act; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; third extension of comment period.

SUMMARY: EPA issued a notice in the Federal Register of June 18, 2007, concerning the draft list of the first group of chemicals that will be screened in the Agency’s Endocrine Disruptor Screening Program (EDSP). The draft list was produced using the approach described in the September 2005 notice, and includes chemicals that the Agency, in its discretion, has decided should be tested first, based upon exposure potential. The June 18, 2007 Federal Register notice provided for a 90-day public comment period. EPA extended the comment period an additional 60 days in the Federal Register of September 12, 2007, and later extended the comment period for 45 days in the Federal Register of November 15, 2007. This document is extending the comment period for a third time for an additional 42 days. The new comment period closes February 11, 2008.

DATES: Comments, identified by docket identification (ID) number EPA–HQ–OPPT–2004–0109 must be received on or before February 11, 2008.

ADDRESSES: Follow the detailed instructions as provided under ADDRESSES in the Federal Register document of June 18, 2007.

FOR FURTHER INFORMATION CONTACT: Linda Phillips, Office of Science Coordination and Policy (7203M), Office of Prevention, Pesticides, and Toxic Substances, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (202) 564–1264; e-mail address: philips.linda@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

The Agency included in the June 18, 2007 notice a list of those who may be potentially affected by this action. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under FOR FURTHER INFORMATION CONTACT.

B. What Should I Consider as I Prepare My Comments for EPA?

When preparing comments follow the procedures and suggestions given in Unit I.B. of the SUPPLEMENTARY INFORMATION of the June 18, 2007 Federal Register notice.

C. How and to Whom Do I Submit Comments?

To submit comments, or access the public docket, please follow the detailed instructions as provided in Unit I.B.3. of the SUPPLEMENTARY INFORMATION of the June 18, 2007 Federal Register notice. If you have questions, consult the person listed under FOR FURTHER INFORMATION CONTACT.

II. What Action is EPA Taking?

This document extends the public comment period that was originally established in the Federal Register of June 18, 2007 (72 FR 33486) (FRL–8129–3), and was extended in the Federal Register of September 12, 2007 (72 FR 52108) (FRL–8146–3), and November 15, 2007 (72 FR 64218) (FRL–8156–9). In the Federal Register notice of June 18, 2007, EPA announced the draft list of the first group of chemicals that will be screened in the Agency’s EDSP. The draft list was developed using the approach described in the Federal Register notice of September 27, 2005 (70 FR 56449) (FRL–7716–9). As required by the Federal Food, Drug, and Cosmetic Act (FFDCA), all pesticides must eventually be screened under the EDSP, and this first group is simply a starting point. Because EPA developed this draft list of chemicals based upon exposure potential, it should not be construed as a list of known or likely endocrine disruptors, and it would be inappropriate to do so. Following consideration of comments on this draft list of chemicals, EPA will issue a Federal Register notice containing the final list of chemicals. EPA is hereby extending the comment period, which was set to end on December 31, 2007 to February 11, 2008.

III. What is the Agency’s Authority for Taking this Action?

Section 408(p) of FFDCA requires EPA to “develop a screening program, using appropriate validated test systems and other scientifically relevant information, to determine whether certain substances may have an effect in humans that is similar to an effect produced by a naturally occurring estrogen, or such other endocrine effect as [EPA] may designate.” (21 U.S.C. 346a(p)). The statute generally requires EPA to “provide for the testing of all pesticide chemicals.” (21 U.S.C. 346a(p)(3)). However, EPA is authorized to exempt a chemical, by order upon a determination that “the substance is anticipated not to produce any effect in humans similar to an effect produced by a naturally occurring estrogen.” (21 U.S.C. 346a(p)(4)). “Pesticide chemical” is defined as “any substance that is a pesticide within the meaning of the Federal Insecticide, Fungicide, and Rodenticide Act, including all active and inert ingredients of such pesticide.” (21 U.S.C. 321(q)(1)).

List of Subjects

Environmental protection, Chemicals, Endocrine disruptors, Pesticides.


James B. Gulliford.
Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.

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