

Notifications and Minor Formulation Amendments" ([http://www.epa.gov/PR\\_Notices/pr98-10.pdf](http://www.epa.gov/PR_Notices/pr98-10.pdf)). The following guidance is given in PRN 98-10 under section IV. Non-Notifications, H. Product Packaging, 1. Recycled Content:

A statement about the recycled content of pesticide packaging itself may be made in accordance with guidance from the Federal Trade Commission." The Agency has concluded that PRN 98-10 sufficiently provided for label statements about product packaging, and therefore recycled content of product packaging additions may be made through the notification process at any time.

To be considered for this pilot, applicants must adhere to all the terms of the pilot, submit all of the applicable forms and fees (if necessary), and follow the pilot's mailing/delivery instructions. Please see the detailed instructions on applying for this pilot at <http://www.epa.gov/pesticides>.

If EPA determines, at any time during the pilots, that a company is making violative claims either on the product label or associated web sites, the company will be subject to enforcement action under FIFRA and other applicable laws. EPA may exclude any company deemed to be in violation from further participation in either of the pilots.

OPP will start accepting product label amendment applications for the factual label statements pilot program on January 25, 2010. If OPP decides not to allow use of approved factual statements at the end of this pilot, then the last day that pesticide products participating in this pilot can be released for shipment is May 3, 2013.

2. *OPP-DfE logo pilot program.* OPP is working with EPA's DfE program in the Office of Pollution Prevention and Toxics (OPPT) to empower consumers to make informed choices when purchasing antimicrobial pesticide products, and encourage registrants to develop pesticide formulations that are at the lower end of the toxicity spectrum.

Participation in this pilot is targeted towards antimicrobial pesticide products that are either Acute Toxicity Categories 3 or 4. In general, Antimicrobial pesticide products with the following characteristics would likely not qualify:

- a. Are classified as acute toxicity category 1 or 2.
- b. Have known, likely, or suggestive carcinogens.
- c. Have known developmental, reproductive, mutagenic, or neurotoxicity issues.
- d. Have significant, outstanding data issues for the active ingredient and/or product.

e. The label requires use of personal protective equipment.

Additional criteria can be found at <http://www.epa.gov/pesticides>. Participation in the pilot will require both a review under the DfE program as well as OPP's review of the registration application. Registrants must first submit their products to the DfE program for review along with any data necessary to prove that the product is eligible for recognition under their criteria. Once the DfE program determines that the product meets their program's criteria, the registrant must then submit to OPP their amendment request, including their draft label with the OPP-DfE logo. OPP will not accept applications that have not completed the DfE review. Details on how to apply for this pilot can be found at <http://www.epa.gov/pesticides>.

The new OPP-DfE logo established by EPA may be added to products only when registrants meet the terms of the OPP-DfE Pilot. The acceptable label statement accompanying the OPP-DfE logo is:

For further information concerning the DfE for Pesticides Program, go to <http://www.epa.gov/pesticides>.

OPP is creating this OPP-DfE Website to reduce any potential confusion by consumers or registrants between the Pesticides DfE Program and the existing DfE Program for non-pesticide products.

Participation in this pilot requires the submission of a complete application for a PRIA regulatory application and, therefore, is subject to the applicable fees under the Pesticide Registration Improvement Act (PRIA). OPP will complete its review of the amendment according to the PRIA timeframe. To be considered for this pilot, applicants must adhere to all the terms of the pilot, submit all of the applicable forms and fees, and follow the pilot's mailing/delivery instructions. Please see the detailed instructions on applying for this pilot at <http://www.epa.gov/pesticides>.

The DfE program will start accepting applications for the OPP-DfE Logo pilot on December 9, 2009. OPP will start accepting product amendment applications starting on May 3, 2010. This pilot ends on May 3, 2013, and the last day that pesticide products participating in this pilot can be released for shipment is May 3, 2013.

#### List of Subjects

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

Dated: December 3, 2009.

**Martha Monell,**

*Acting Director, Office of Pesticide Programs.*

[FR Doc. E9-29333 Filed 12-8-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0628 and 2009-0825; FRL-8801-4]

### Pesticides; Draft Guidance for Pesticide Registrants on Pesticide Drift Labeling and Petition to Protect Children from Pesticide Drift; Notices of Availability; Extension of Comment Period

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice; extension of comment period.

**SUMMARY:** EPA issued two related notices in the **Federal Register** of November 4, 2009, one concerning draft guidance on pesticide drift labeling, and one on a petition submitted to the Agency for protecting children from pesticide drift. Both notices announced the availability of the source documents and opened public comment periods of 60 days (until January 4, 2010). Today's notice extends the comment period on both notices for an additional 60 days, from January 4, 2010 to March 5, 2010.

**DATES:** Comments, identified by the docket identification (ID) number EPA-HQ-OPP-2009-0628 and EPA-HQ-OPP-2009-0825, must be received on or before March 5, 2010.

**ADDRESSES:** Follow the detailed instructions as provided under **ADDRESSES** in the **Federal Register** documents of November 4, 2009.

**FOR FURTHER INFORMATION CONTACT:** For EPA-HQ-OPP-2009-0628, Veronique LaCapra, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: 703-605-1525; e-mail address: [lacapra.veronique@epa.gov](mailto:lacapra.veronique@epa.gov).

For EPA-HQ-OPP-2009-0825, Jill Bloom, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: 703-308-8019; e-mail address: [bloom.jill@epa.gov](mailto:bloom.jill@epa.gov).

**SUPPLEMENTARY INFORMATION:** This document extends the public comment periods established in the **Federal Register** of November 4, 2009 (74 FR

57166) (FRL-8794-9) and (74 FR 57168) (FRL-8797-4). In both documents, comment periods of 60 days were established. Subsequent to publication, a number of stakeholders requested the extension of the original comment periods, citing potential delays due to the intervening holidays and the volume of material in the two dockets. The Agency agrees that an extension is warranted and is hereby extending the comment periods, which were set to end on January 4, 2010, for a period of 60 days, to March 5, 2010.

To submit comments, or access the docket, please follow the detailed instructions as provided under **ADDRESSES** in the November 4, 2009 **Federal Register** documents; the notice of availability – EPA-HQ-OPP-2009-0628; FRL-8794-9 and the petition – EPA-HO-OPP-2009-0825; FRL-8797-4. If you have questions, consult the persons listed under **FOR FURTHER INFORMATION CONTACT**.

#### List of Subjects

Environmental protection, Administrative practice and procedure, Agricultural commodities, Earthjustice, Environmental Justice, Farmworker Justice, Labeling, Pesticides and pests, Pesticide drift, Spray drift.

Dated: November 25, 2009.

**Richard P. Keigwin, Jr.,**

Director, Pesticide Re-evaluation Division,  
Office of Pesticide Programs.

[FR Doc. E9-29069 Filed-12-8-09; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0889; FRL-8803-2]

#### Policy Paper on Revised Risk Assessment Methods for Workers, Children of Workers in Agricultural Fields, and Pesticides with No Food Uses; Notice of Availability

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of Availability.

**SUMMARY:** EPA is making available for comment a policy paper entitled "Revised Risk Assessment Methods for Workers, Children of Workers in Agricultural Fields, and Pesticides with No Food Uses," that describes how the Agency will assess pesticide risks not governed by the Federal Food, Drug and Cosmetic Act. To provide comprehensive and consistent evaluation of potential risks of food use pesticides, non-food use pesticides, and

related occupational exposures, EPA intends to apply risk assessment techniques developed in implementing the Food Quality Protection Act of 1996 to any pesticide risk assessment, whether it falls under FQPA or not, as long as applying the risk assessment technique is consistent with good scientific practice and is not otherwise prohibited by law. Specifically, this will include using an additional safety/uncertainty factor to protect children, considering aggregate exposures to pesticides from multiple sources, and considering cumulative effects which may occur from exposure to multiple pesticides with a common mechanism of toxicity. Moreover, risks will be explicitly reported for individuals who had not been explicitly considered, specifically workers age 12-17 and children taken into agricultural fields. Taking this step at this time has important environmental justice ramifications. EPA anticipates that implementing this policy will increase protections, especially for agricultural workers and children of workers in agricultural fields.

**DATES:** Comments must be received on or before February 8, 2010.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-0889, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

*Instructions:* Direct your comments to docket ID number EPA-HQ-OPP-2009-0889. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. 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 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.

#### FOR FURTHER INFORMATION CONTACT:

Deborah Smegal, Health Effects Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-0175; fax number: (703) 305-5147; e-mail address: [smegal.deborah@epa.gov](mailto:smegal.deborah@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the