



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

February 11, 1993

OFFICE OF
PESTICIDES AND TOXIC
SUBSTANCES

PESTICIDE REGULATION (PR) NOTICE 93-1

NOTICE TO MANUFACTURERS, FORMULATORS, PRODUCERS
AND REGISTRANTS OF PESTICIDE PRODUCTS

ATTENTION: Persons Responsible for Registration of Pesticide
Products

SUBJECT: Statement of Restricted Use Classification

This notice explains EPA's policy on the content and placement of the statement required on the front panel of labeling of pesticides classified for restricted use (RU). This notice also describes EPA's policy with respect to statements on pesticides not classified for restricted use.

I. BACKGROUND

EPA regulations specify the statements that must appear on pesticide products classified for restricted use [40 CFR 156.10 (j)]. However, EPA has observed that statements on pesticides classified for restricted use may vary significantly in format and content. These variations which have led to confusion and concern generally fall into two areas: inconsistent placement of restricted use statements on labels and variations in the wording or meaning of restricted use statements.

EPA has also observed that some products not classified for restricted use bear statements which are similar to statements required for restricted use products. Such statements obscure the distinction between restricted use and unrestricted products, and they may or may not be enforceable, depending on their wording.

II. POLICY AND RATIONALE

To assure consistency in product labeling and to reduce confusion, EPA is restating and clarifying its requirements at 40 CFR 156.10 (j) for pesticides classified for restricted use as follows:

(a) The statement "Restricted Use Pesticide" must be placed at the very top of the front panel of the label of a product for which the directions for use(s) are classified for restricted use [40 CFR 156.10 (j) (2) (i) (A)]. No other wording or symbols should appear above this statement.



(b) The restricted use statement in (a) should be followed by the reason for the restricted use classification (briefly stated). In addition, the terms of the restricted use, for example, the certified applicator's statement as required in 40 CFR 156.10 (j) (2) (i) (B) or other terms imposed by EPA shall appear below the reason for the restricted use classification. All of these statements should be enclosed in a box as shown below. No statements other than these should be included in the box.

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| <p style="text-align: center;">RESTRICTED USE PESTICIDE DUE TO (insert reason*)</p> <p>For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.</p> |
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(For example, "DUE TO HIGH ACUTE TOXICITY")

(c) EPA will usually require the certified applicator's statement just described. However, EPA reserves the right to impose unique certified applicator statements if necessary to prevent unreasonable adverse effects. When 40 CFR 171 is amended, additional certified applicator statements may be required. With respect to products not classified for restricted use, no wording or symbol should be placed in the space at the top of the front panel above the name of the product. This policy will reduce the occurrence of general use products appearing to be restricted-use products.

(d) Restricted-use products are still subject to all other requirements as specified in 40 CFR 156.10 (j) (2).

III. EFFECTIVE DATE

Registrants should make the changes specified above and submit revised labels to EPA via notification in accordance with PR Notice 88-6 or refer to 40 CFR 152.46(a)(1). All products distributed or sold by **registrants and distributors (supplemental registrants)** should bear labeling which is consistent with this notice by April 21, 1994. All products distributed or sold by **persons other than registrants or supplemental registrants** after April 21, 1996 should bear correct labeling. After these dates, the agency may either issue a Notice of Intent to Cancel a product or bring enforcement action against products bearing false or misleading claims covered by this notice. If you have questions, call Jeff Kempter (703-305-5448).

for Stephanie R. Shene
Lawrence E. Culleen, Acting Director
Registration Division