

WS Directive

2.405 02/11/04

PESTICIDE REGISTRATIONS AND PERMITS

1. PURPOSE

To establish the procedures, guidelines, and responsibilities for applying for and maintaining WS Section 3 and 24(c) registrations, Section 5 permits, and Section 18 exemptions under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

2. REPLACEMENT HIGHLIGHTS

This directive revises WS Directive 2.405 dated 5/3/95.

3. POLICY

State Directors must forward all inquiries and requests regarding pesticide registrations through their respective Assistant Regional Director. The WS Pesticide Coordination Committee is responsible for recommending the approval or disapproval of new or existing pesticide registrations, label changes, emergency exemptions, permits, and addressing and resolving other pesticide policy issues. The Deputy Administrator has final decision authority regarding all pesticide matters.

4. DEFINITIONS

a. Section 3 Registration. Known as a Federal pesticide registration. FIFRA provides the U.S. Environmental Protection Agency (EPA) the authority to require a formal process for registering all pesticides before they can be sold or distributed in intrastate or interstate commerce.

b. Section 5 Permit. More commonly known as an Experimental Use Permit. FIFRA authorizes EPA to issue a permit for a specific pesticide to accumulate information necessary for registration under Section 3 of FIFRA.

c. Section 18. Better known as an Emergency Exemption. Authority provided by FIFRA allows the EPA Administrator to exempt any Federal or State agency from any provisions of FIFRA if an emergency condition exists that requires such exemption.

d. Section 24(c) Registration. More commonly known as a Special Local Needs registration. FIFRA allows States to issue special registrations for additional uses of a Federally registered pesticide (Section 3) for distribution and use within that State to meet special local needs.

5. PESTICIDE COORDINATION COMMITTEE

The Pesticide Coordination Committee is comprised of 1) the Director of the Operational Support Staff (OSS) (Chairperson) or its representative, 2) Manager, Product Development Section, National Wildlife Research Center (NWRC) and/or Pesticide Registration Liaison, NWRC (NWRC's representation alternates according to subject and availability), Pocatello Supply Manager, and, 3) Chief, Environmental Services (ES), Policy and Program Development.

6. INQUIRIES, APPLICATION PROCESS, AND APPROVAL

a. Inquiries. Field personnel having general questions or inquiries regarding pesticide registrations should contact their immediate supervisor. Technical questions should be forwarded to the respective Assistant Regional Director or the Director, OSS. NWRC employees should contact the Manager, Product Development Section or the Pesticide Registration Liaison or OSS.

b. Application Process. Requests for FIFRA Section 3, 5, 18, and 24(c) registrations, permits, or exemptions must be initiated by a State Director and receive approval from their respective Assistant Regional Director. NWRC personnel should direct requests to the Director, NWRC. Each initial request will be reviewed for feasibility, appropriateness, and need. The Assistant Regional Director or Director, NWRC will determine if the request should be denied, modified, or forwarded on to the Pesticide Coordination Committee for further consideration. If the request is forwarded, it will be reviewed for data requirements, costs and availability and potential impacts on other WS registrations.

c. Approval. The Pesticide Coordination Committee will make decisions on requests that do not require policy changes or substantial costs. Those decisions requiring policy changes and/or involving substantial costs, will be forwarded to the Deputy Administrator. A written notice of the approval, modification, or disapproval will be issued by the Chairperson to the requestor via the Assistant Regional Director.

OSS will provide assistance for approved requests in developing formal applications, and other administrative forms, data matrix, and label, and will review the application package for compliance with EPA requirements. State Directors are ultimately responsible for submitting Section 24 (c) applications to the State.

7. REGISTRATION MAINTENANCE AND TRACKING

All documentation regarding application and any subsequent correspondence relating to proposed, granted, or amended Section 3 or 24(c) registrations, Section 5 permits, or Section 18 Exemptions must be forwarded to ES for maintenance and tracking. ES will provide administrative documents required by State

governments or EPA. All correspondence and documents are permanently archived by NWRC.

8. DATA DEVELOPMENT, REPORTING AND ARCHIVING

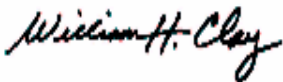
NWRC is responsible for developing, reporting, and archiving all required data needed to maintain or expand WS Section 3 and 24(c) pesticide registrations and to support Section 5 permits and Section 18 exemptions. NWRC may obtain support of funding from any available or authorized source (see WS Directive 3.101, Cooperative Programs) and may also form, participate, and administer data gathering consortia necessary to meet WS needs.

9. REGISTRATION AND ANNUAL MAINTENANCE FEES

Prior to the sale, distribution, and use of a pesticide, State Directors must assure that the pesticide in question is registered in his/her respective State (see WS Directive 2.401, Pesticide Use) or that a Section 18 exemption is granted. State registration costs and annual maintenance fees assessed by the State and/or EPA on Section 24(c) registrations are the responsibility of each WS State Office. Annual maintenance fees assessed by EPA for Section 3 products, and the technical registrations to support them, are the responsibility of the Pocatello Supply Depot (see WS Directive 3.115, Pocatello Supply Depot).

10. REFERENCES

WS Directive 2.401, Pesticide Use. (02/17/04).
WS Directive 3.101, Cooperative Programs. (2/25/94).
WS Directive 3.115, Pocatello Supply Depot. (8/27/03).
Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), as amended.
40 CFR Parts 150-189 - Subchapter E-Pesticide Programs.



Deputy Administrator