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[Federal Register: April 27, 2001 (Volume 66, Number 82)]

[Notices] [Page 21141-21142]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-00701; FRL-6769-4]

Pesticides; Draft Guidance for Pesticide Registrants on Pesticide Label Identification for Pesticide Products Meeting the Requirements of the National Organic Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: The Agency is announcing the availability of, and seeking public comment on, a draft Pesticide Registration Notice (PR-Notice) entitled "Pesticide Label Identification for Pesticide Products Meeting the Requirements of the National Organic Program." PR-Notices are issued by the Office of Pesticide Programs (OPP) to inform pesticide registrants and other interested persons about important policies, procedures and registration related decisions, and serve to provide guidance to pesticide registrants and OPP personnel. This particular draft PR-Notice describes how pesticide registrants can obtain EPA acceptance of label language indicating that all ingredients (active and inert) in a pesticide product and all uses of that pesticide meet the criteria defined in the United States Department of Agriculture's (USDA) National Organic Program (NOP) Rule. The information on the pesticide label will assist organic growers and those persons certifying organic production methods in knowing which pesticide products meet the requirements of the NOP Rule for use in organic agriculture. Label language on a pesticide product is not required, however, for an organic producer to utilize a pesticide product which meets the requirements of the NOP Rule. With this Notice of Availability, EPA is providing pesticide registrants and other interested parties with an opportunity to review and comment on this draft guidance.

DATES: Comments, identified by docket control number OPP-00701, must be received on or before June 26, 2001.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C. of the SUPPLEMENTARY INFORMATION. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-00701 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: Robert Torla (7511C), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8098; fax number: (703) 308-7026; e-mail address: torla.robert@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

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"Pesticide Label Identification for Pesticide Products Meeting the Requirements of the
National Organic Program"

A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to those persons who intend to market pesticide products to farmers producing organic crops, to farmers using organic methods, and home gardeners who wish to use organic methods. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the information in this notice, consult the person listed under FOR FURTHER INFORMATION CONTACT.

B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. Electronically. You may obtain electronic copies of this document and the PR Notice from the Office of Pesticide Programs' Home Page at <http://www.epa.gov/pesticides/>. You can also go directly to the listings from the EPA Internet Home Page at <http://www.epa.gov>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the "Federal Register--Environmental Documents." You can also go directly to the Federal Register listings at <http://www.epa.gov/fedrgstr/>.

2. Fax-on-demand. You may request a faxed copy of the draft Pesticide Registration (PR) Notice entitled "Guidance for Pesticide Registrants on Pesticide Label Identification for Pesticide Products Meeting the Requirements of the National Organic Program," by using a faxphone to call (202) 401-0527 and selecting item 6137. You may also follow the automated menu.

3. In person. The Agency has established an official record for this action under docket control number OPP-00701. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-00701 in the subject line on the first page of your response.

1. By mail. Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

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"Pesticide Label Identification for Pesticide Products Meeting the Requirements of the
National Organic Program"

2. In person or by courier. Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. Electronically. You may submit your comments electronically by E-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in Wordperfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP-00701. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI That I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified under FOR FURTHER INFORMATION CONTACT.

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

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the notice.
7. Make sure to submit your comments by the deadline in this notice.
8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and Federal Register citation.

II. Background

A. What Guidance Does this PR Notice Provide?

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"Pesticide Label Identification for Pesticide Products Meeting the Requirements of the
National Organic Program"

PR Notices are issued by the Office of Pesticide Programs to inform pesticide registrants and other interested persons about important policies, procedures and regulatory decisions. Pesticide manufacturers and organic farmers have indicated that it would be useful to have some indication on pesticide labels to indicate which pesticide products are acceptable for organic production and handling. This PR Notice describes how registrants can obtain Environmental Protection Agency acceptance of label language indicating that all ingredients (active and inert) in a pesticide product and all uses of that pesticide meet the criteria defined in the United States Department of Agriculture's (USDA) National Organic Program (NOP) Rule. The information on the pesticide label will assist organic growers and those persons certifying organic production methods in knowing which pesticide products meet the requirements of the NOP Rule for use in organic agriculture. Label Language on a pesticide product stating that the pesticide product meets the NOP Rule criteria is not required for an organic producer to utilize a pesticide product which meets the requirements of the NOP.

B. What Questions/Issues Should You Consider?

1. Does this PR Notice provide adequate information for a registrant considering adding label information to a pesticide product indicating it is acceptable for use in organic agriculture?
2. While we believe delisting will be rare and almost always because of an action taken by this Agency, does this notice make the situation on delisting clear?

C. PR Notices are Guidance Documents

The PR Notice discussed in this document is intended to provide guidance to EPA personnel and decision-makers and to pesticide registrants. This notice is not binding on either EPA or pesticide registrants, and EPA may depart from the guidance where circumstances warrant and without prior notice. Likewise, pesticide registrants may assert that the guidance is not appropriate generally or not applicable to a specific pesticide or situation.

List of Subjects

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

Dated: January 19, 2001.

Anne E. Lindsay

Director, Office of Pesticide Programs

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