



# **Reregistration Eligibility Decision (RED) (Z)-9-Tricosene**



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

### CERTIFIED MAIL

Dear Registrant:

I am pleased to announce that the Environmental Protection Agency has completed its reregistration eligibility review and decisions on the pesticide chemical (Z)-9-tricosene. The enclosed Eligibility Decision (RED) contains the Agency's evaluation of the data base of this chemical, its conclusions of the potential human health and environmental risks of the current product uses, and its decisions and conditions under which these uses and products will be eligible for reregistration. The RED includes the data and labeling requirements for products for reregistration. It may also include requirements for additional data (generic) on the active ingredient to confirm the risk assessments.

To assist you with a proper response, read the enclosed document entitled "Summary of Instructions for Responding to the RED". This summary also refers to other enclosed documents which include further instructions. You must follow all instructions and submit complete and timely responses. **The first set of required responses are due 90 days from the date of this letter. The second set of required responses are due 8 months from the date of this letter.** Complete and timely responses will avoid the Agency taking the enforcement action of suspension against your products.

If you have questions on the product specific data requirements or wish to meet with the Agency, please contact the Special Review and Reregistration Division representative Franklin Gee at (703) 308-8008. Address any questions on required generic data to the Special Review and Reregistration Division representative Tom Myers at (703) 308-8074.

Sincerely yours,

Louis P. True, Jr., Acting Director  
Special Review and  
Reregistration Division

Enclosures

**SUMMARY OF INSTRUCTIONS FOR RESPONDING TO  
THE REREGISTRATION ELIGIBILITY DECISION (RED)**

1. **DATA CALL-IN (DCI) OR "90-DAY RESPONSE"**--If **generic data** are required for reregistration, a DCI letter will be enclosed describing such data. If **product specific data** are required, another DCI letter will be enclosed listing such requirements. If **both generic and product specific data** are required, a combined Generic and Product Specific letter will be enclosed describing such data. Complete the two response forms provided with each DCI letter (or four forms for the combined) by following the instructions provided. **You must submit the response forms for each product and for each DCI within 90 days of the date of this letter (RED issuance date); otherwise, your product may be suspended.**

2. **TIME EXTENSIONS AND DATA WAIVER REQUESTS**--No time extension requests will be granted for the 90-day response. Time extension requests may be submitted only with respect to actual data submissions. Requests for data waivers must be submitted as part of the 90-day response. Requests for time extensions should be submitted in the 90-day response, but certainly no later than the 8-month response date. All data waiver and time extension requests must be accompanied by a full justification. All waivers and time extensions must be granted by EPA in order to go into effect.

3. **APPLICATION FOR REREGISTRATION OR "8-MONTH RESPONSE"**--**You must submit the following items for each product within eight months of the date of this letter (RED issuance date).**

a. **Application for Reregistration** (EPA Form 8570-1). Use only an original application form. Mark it "Application for Reregistration." Send your Application for Reregistration (along with the other forms listed in b-e below) to the address listed in item 5.

b. **Five copies of draft labeling** which complies with the RED and current regulations and requirements. Only make labeling changes which are required by the RED and current regulations (40 CFR 156.10) and policies. Submit any other amendments (such as formulation changes, or labeling changes not related to reregistration) separately. You may delete uses which the RED says are ineligible for reregistration. For further labeling guidance, refer to the labeling section of the EPA publication "General Information on Applying for Registration in the U.S., Second Edition, August 1992" (available from the National Technical Information Service, publication #PB92-221811; telephone number 703-487-4650).

c. **Generic or Product Specific Data**. Submit all data in a format which complies with PR Notice 86-5, and/or submit citations of data already submitted and give the EPA identifier (MRID) numbers. Before citing these studies, you must **make sure that they meet the Agency's acceptance criteria** (attached to the DCI).

d. **Two copies of the Confidential Statement of Formula (CSF)** for each basic and each alternate formulation. The labeling and CSF which you submit for each product must comply with P.R. Notice 91-2 by declaring the active ingredient as the **nominal concentration**. You have two options for submitting a CSF: (1) accept the standard certified

limits (see 40 CFR §158.175) or (2) provide certified limits that are supported by the analysis of five batches. If you choose the second option, you must submit or cite the data for the five batches along with a certification statement as described in 40 CFR §158.175(e). A copy of the CSF is enclosed; follow the instructions on its back.

e. **Certification With Respect to Data Compensation Requirements.** Complete and sign EPA form 8570-31 for each product.

4. **COMMENTS IN RESPONSE TO FEDERAL REGISTER NOTICE**--Comments pertaining to the content of the RED may be submitted to the address shown in the Federal Register Notice which announces the availability of this RED.

5. **WHERE TO SEND PRODUCT SPECIFIC DCI RESPONSES (90-DAY) AND APPLICATIONS FOR REREGISTRATION (8-MONTH RESPONSES)**

**By U.S. Mail:**

Document Processing Desk (**RED-SRRD-PRB**)  
Office of Pesticide Programs (7504C)  
EPA, 401 M St. S.W.  
Washington, D.C. 20460-0001

**By express:**

Document Processing Desk (**RED-SRRD-PRB**)  
Office of Pesticide Programs (7504C)  
Room 266A, Crystal Mall 2  
1921 Jefferson Davis Hwy.  
Arlington, VA 22202

6. **EPA'S REVIEWS**--EPA will screen all submissions for completeness; those which are not complete will be returned with a request for corrections. EPA will try to respond to data waiver and time extension requests within 60 days. EPA will also try to respond to all 8-month submissions with a final reregistration determination within 14 months after the RED has been issued.

**REREGISTRATION ELIGIBILITY DECISION**

**(Z)-9-TRICOSENE**

**LIST D**

**CASE 4112**

**ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF PESTICIDE PROGRAMS  
SPECIAL REVIEW AND REREGISTRATION DIVISION**

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## **(Z)-9-TRICOSENE REREGISTRATION ELIGIBILITY DECISION TEAM**

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## **GLOSSARY OF TERMS AND ABBREVIATIONS**

AE	Acid equivalent
a.i.	Active Ingredient
ARC	Anticipated Residue Contribution
CAS	Chemical Abstracts Service
CNS	Central Nervous System
CSF	Confidential Statement of Formula
DFR	Dislodgeable Foliar Residue
DRES	Dietary Risk Evaluation System
DWEL	Drinking Water Equivalent Level (DWEL) The DWEL represents a medium specific (i.e. drinking water) lifetime exposure at which adverse, non carcinogenic health effects are not anticipated to occur.
EEC	Estimated Environmental Concentration. The estimated pesticide concentration in an environment, such as a terrestrial ecosystem.
EP	End-Use Product
EPA	U.S. Environmental Protection Agency
FDA	Food and Drug Administration
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FFDCA	Federal Food, Drug, and Cosmetic Act
GLC	Gas Liquid Chromatography
GM	Geometric Mean
GRAS	Generally Recognized As Safe as designated by FDA

## **GLOSSARY OF TERMS AND ABBREVIATIONS**

HA	Health Advisory (HA) The HA values are used as informal guidance to municipalities and other organizations when emergency spills or contamination situations occur.
HDT	Highest Dose Tested
LC <sub>50</sub>	Median Lethal Concentration. A statistically derived concentration of a substance that can be expected to cause death in 50% of test animals. It is usually expressed as the weight of substance per weight or volume of water, air or feed, e.g., mg/l, mg/kg or ppm.
LD <sub>50</sub>	Median Lethal Dose. A statistically derived single dose that can be expected to cause death in 50% of the test animals when administered by the route indicated (oral, dermal, inhalation). It is expressed as a weight of substance per unit weight of animal, e.g., mg/kg.
LD <sub>10</sub>	Lethal Dose-low. Lowest Dose at which lethality occurs
LEL	Lowest Effect Level
LOC	Level of Concern
LOEL	Lowest Observed Effect Level
MATC	Maximum Acceptable Toxicant Concentration
MCLG	Maximum Contaminant Level Goal (MCLG) The MCLG is used by the Agency to regulate contaminants in drinking water under the Safe Drinking Water Act.
µg/g	Micrograms Per Gram
mg/L	Milligrams Per Liter
MP	Manufacturing-Use Product
MPI	Maximum Permissible Intake
MOE	Margin Of Exposure
MRID	Master Record Identification (number). EPA's system of recording and tracking studies submitted.

## **GLOSSARY OF TERMS AND ABBREVIATIONS**

N/A	Not Applicable
NPDES	National Pollutant Discharge Elimination System
NOEL	No Observed Effect Level
OP	Organophosphate
OPP	Office of Pesticide Programs
PADI	Provisional Acceptable Daily Intake
PAM	Pesticide Analytical Method
PHED	Pesticide Handler's Exposure Data
PPE	Personal Protective Equipment
ppb	Parts Per Billion
ppm	Parts Per Million
PRN	Pesticide Registration Notice
Q <sub>1</sub> *	The Carcinogenic Potential of a Compound, Quantified by the EPA's Cancer Risk Model
RBC	Red Blood Cell
RED	Reregistration Eligibility Decision
REI	Restricted Entry Interval
RfD	Reference Dose
RS	Registration Standard
TD	Toxic Dose. The dose at which a substance produces a toxic effect.

## **GLOSSARY OF TERMS AND ABBREVIATIONS**

TC	Toxic Concentration. The concentration at which a substance produces a toxic effect.
TEP	Typical End-Use Product
TGAI	Technical Grade Active Ingredient
TMRC	Theoretical Maximum Residue Contribution
TLC	Thin Layer Chromatography
WP	Wettable Powder
WPS	Worker Protection Standard

## EXECUTIVE SUMMARY

The Environmental Protection Agency has completed an assessment of the potential human health and environmental risks associated with the pesticidal use of (Z)-9-tricosene in the United States. (Z)-9-tricosene is a biochemical registered as a sex-attractant pheromone for house and other fly species. The Agency has determined that (Z)-9-tricosene products, labeled and used as specified in this Reregistration Eligibility Decision Document (RED), will not cause unreasonable risk to humans or the environment. Therefore, the Agency concludes that products containing (Z)-9-tricosene for all uses are eligible for reregistration.

The submitted ecological effects studies indicate that (Z)-9-tricosene is highly toxic to aquatic invertebrates but practically non-toxic to freshwater fish. Risk to aquatic organisms is expected to be minimal from the uses of products specified in this RED because of low exposure potential. However, the Agency has concerns about potential risks to avian species. Birds may have frequent dietary exposure to (Z)-9-tricosene residues from repeated outdoor broadcast applications of granular product formulations. Studies suggest (Z)-9-tricosene may cause reproduction effects in mallard ducks at concentrations as low as 2 ppm in their diet. Expected exposure should not cause acute toxicity effects to birds. To alleviate the avian reproduction toxicity concern for broadcast products and the accessibility to birds the Agency is requiring that these products be used only in a manner that would significantly reduce the exposure potential to birds, such as bait stations.

In addition, the Agency is requiring confirmatory technical chemistry studies to resolve issues in the method used to quantify the percent active ingredient. Adequate data will resolve deficiencies in the certification of ingredient limits and also validate the method used to verify certified limits.

Before reregistering the products containing (Z)-9-tricosene, the Agency is requiring that product specific data, revised Confidential Statements of Formula (CSF) and revised labeling be submitted within eight months of the issuance of this document. After reviewing these data and any revised labels and finding them acceptable in accordance with Section 3(c)(5) of FIFRA, the Agency will reregister a product. Those products which contain other active ingredients will be eligible for reregistration only when the other active ingredients are determined to be eligible for reregistration.

## **I. INTRODUCTION**

In 1988, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) was amended to accelerate the reregistration of products with active ingredients registered prior to November 1, 1984. The amended Act provides a schedule for the reregistration process to be completed in nine years. There are five phases to the reregistration process. The first four phases of the process focus on identification of data requirements to support the reregistration of an active ingredient and the generation and submission of data to fulfill the requirements. The fifth phase is a review by the U.S. Environmental Protection Agency (referred to as "the Agency") of all data submitted to support reregistration.

FIFRA Section 4(g)(2)(A) states that in Phase 5 "the Administrator shall determine whether pesticides containing such active ingredient are eligible for registration" before calling in data on products and either reregistering products or taking "other appropriate regulatory action." Thus, reregistration involves a thorough review of the scientific data base underlying a pesticide's registration. The purpose of the Agency's review is to reassess the potential hazards arising from the currently registered uses of the pesticide; to determine the need for additional data on health and environmental effects; and to determine whether the pesticide meets the "no unreasonable adverse effects" criterion of FIFRA.

This document presents the Agency's decision regarding the reregistration eligibility of the registered uses of (Z)-9-tricosene. The document consists of six sections. Section I is the introduction. Section II describes (Z)-9-tricosene, its uses, data requirements and regulatory history. Section III discusses the human health and environmental assessment based on the data available to the Agency. Section IV presents the reregistration decision for (Z)-9-tricosene. Section V discusses the reregistration requirements for (Z)-9-tricosene. Finally, Section VI is the Appendices which support this Reregistration Eligibility Decision. Additional details concerning the Agency's review of applicable data are available on request.

## II. CASE OVERVIEW

### A. Chemical Overview

The following active ingredient is covered by this Reregistration Eligibility Document:

- **Common Name:** (Z)-9-tricosene
- **Chemical Name:** (Z)-9-tricosene
- **Chemical Family:** Biochemical (pheromone)
- **CAS Registry Number:** 27519-02-4
- **OPP Chemical Code:** 103201
- **Empirical Formula:** C<sub>23</sub>H<sub>46</sub>
- **Other Name:** muscalure, muscamone
- **Basic Manufacturers:** Denka International, Farnam Companies Inc., and Bedoukian Research Inc.

### B. Use Profile

The following is information on the current registered uses with an overview of use sites and application methods. A detailed table of the uses of (Z)-9-tricosene is in Appendix A.



For : 103201

**Type of Pesticide:** Biochemical (insect pheromone)

**Use Sites:** TERRESTRIAL FOOD+ FEED\*: Manure, agricultural crops/soils (unspecified).

TERRESTRIAL NON-FOOD: Agricultural uncultivated areas, around and outside of feedlots, dairies, stables, broiler houses, hog houses, livestock barns, kennels, meat and poultry processing plants; canneries, supermarkets, refuse containers, refuse solid waste sites (outdoor) dumps, bakeries, restaurants, walkways in caged layer houses, commissaries, beverage plants, commercial/institutional/industrial premise/equipment (outdoor)

TERRESTRIAL FOOD\*: Cattle feedlots.

TERRESTRIAL NON-FOOD: (Animal kennels/sleeping quarters (commercial), (agricultural uncultivated areas and recreational areas), (refuse/solid waste sites (outdoor), (golf course turf) commercial/institutional/industrial premises/equipment (outdoor).

INDOOR NON-FOOD: Horses, show/race/special/ponies, rabbits, fur farm equipment and premises, specialized animals, eating establishments nonfood areas (nonfood contact), commercial/institutional/industrial premise/equipment.

INDOOR FOOD\*: Indoor Agricultural/Farm structures/buildings and equipment. Rabbits, hog/pig/swine, calves(meat); poultry (eggs/meat), dairy cattle (lactating or unspecified), food/grocery/marketing/storage/distribution facility premise, livestock, food processing plant nonfood handling areas.

OUTDOOR RESIDENTIAL: Ground floors, ledges, window sills, shelves, litter, garbage, manure, household/domestic dwellings outdoor premises.

INDOOR RESIDENTIAL: Inside of houses on ceiling or rafters, incinerators, refuse/solid waste containers, garbage cans.

\*Note: The Agency considers all the current uses of (Z)-9-tricosene as non-food/non-feed uses because the labels have a

restriction to not place this product directly over exposed food or food preparation areas and to use this product away from food and feed areas and out of reach of livestock.

**Target Pests:** Flies (house flies, stable flies and blow flies)

**Formulation Types Registered:**

Single Active Ingredient Products:

Manufacturing Use  
93.5%, 93.5%, and 99.7%

Single Active Ingredient Products (including bait stations, traps, sticks, and granulars):  
3.57%, 0.076%, and 0.048%

Multiple Active Ingredient Products (including bait stations, traps, sticks, belts, granulars, and crystals):  
0.03% + 1 active ingredient  
0.026% + 1 active ingredient  
0.025% + 1 active ingredient (4 products)

**Method and Rates of Application:**

(Z)-9-tricosene may be applied by hand using rubber gloves, cup, or a scoop. In addition, a rotary hand held duster may be used at some sites. Application rates are approximately 0.25 lb/500 sq ft. However, all product labels do not give enough specific information, to determine the exact rates, especially those labels of products with impregnated formulations.

**Use Practice Limitations:**

Use granules in bait stations or only in places inaccessible to birds. Do not place strips in areas where birds, pets or children may accidentally come in contact. Not permitted in food areas of food handling establishments. Do not use where milk is processed or stored. Keep out of reach of food producing animals.

### **C. Data Requirements**

In addition to data requirements imposed to obtain the original registration of this active ingredient, data were required in the reregistration Phase IV Data Call-In issued on August 26, 1993. Appendix B includes all data requirements identified by the Agency for currently registered uses needed to support reregistration.

### **D. Regulatory History**

Pesticide products containing (Z)-9-tricosene, the sex-attractant pheromone of the female house fly, as an active ingredient were first registered in the United States in 1975. Currently, there are twelve products registered to nine companies. These products are used in a number of places where fly control is considered necessary, including food/feed handling establishments and livestock premises.

The Agency considers the current uses of (Z)-9-tricosene as non-food/non-feed uses because all labels bearing directions for use in food/feed handling establishments and livestock premises now carry the restriction to not place product directly over exposed food or food preparation areas and use away from food and feed areas and out of reach of livestock.

## **III. SCIENCE ASSESSMENT**

### **A. Physical Chemistry Assessment**

(Z)-9-tricosene is a colorless liquid with a molecular weight of 322.62. It has the structural formula  $\text{CH}_3(\text{CH}_2)_{12}\text{CH}=\text{CH}(\text{CH}_2)_7\text{CH}_3$ . The CAS Number is 27519-02-04. Trade names for the active ingredient include "muscalure" and "muscamone". (Z)-9-Tricosene is classified as a biochemical pesticide because, even though chemically synthesized, it is identical to the sex pheromone of the female house fly Musca domestica. Also, it is used as an insect attractant with a "non-toxic" mode of action. The active ingredient is used in other formulations as a fly attractant and products are applied at sites noted above (Section II.B).

There are certain technical chemistry issues to be resolved which include the method used to quantify the percent active ingredient. This leads to a deficiency in the certification of ingredient limits and also to validation of the method used to verify certified limits.

The product identity is deficient because an E-9 isomer listed as an active ingredient on the label is not a fly attractant component, and therefore is best

considered as an impurity. Analysis of samples was not completely satisfied because chromatograms of standards and a standard response curve for TGAI quantification were not submitted. Because of this deficiency, the data submitted on Certification of Ingredient Limits needs to be adjusted. The deficiency noted for analysis of samples above also applies to the validation of analytical methods used to verify certified limits, where chromatograms for standards of each TGAI component are required to be submitted. These deficiencies are considered minor to the Agency's ability to assess the risks associated with the current uses of (Z)-9-tricosene products. These additional data requirements to correct these deficiencies are considered confirmatory to accurately characterize the technical chemistry of (Z)-9-tricosene.

## **B. Human Health Assessment**

### **1. Toxicology Assessment**

Acute studies and a developmental toxicity study have been submitted and adequately satisfy the Agency's requirements for (Z)-9-tricosene as a biochemical pesticide (40 CFR 158.690), considering its current use patterns. The table below summarizes the values and categories for the various toxicology studies:

STUDY	RESULTS	CATEGORY
Acute Oral LD <sub>50</sub> - rat	> 5 gm/kg	IV
Acute Dermal LD <sub>50</sub> - rabbit	> 2 gm/kg	IV
Acute Inhalation LC <sub>50</sub> rat	> 5.0 g/m <sup>3</sup>	IV
Primary Eye Irritation - rabbit <sup>1</sup>	Slight Irritant	III
Primary Dermal Irritation-rabbit <sup>1</sup>	Slight Irritant	IV
Dermal Sensitization <sup>2</sup> - guinea pig <sup>1</sup>	Moderate Sensitizer	N/A
Developmental Toxicity - rat	Maternal and Developmental NOEL/LOEL > 5 g/kg/day	N/A

<sup>1</sup>Note: Data pertaining to primary eye irritation, primary dermal irritation, and dermal sensitization are not required to support the reregistration of the TGAI. These data are presented for informational purposes.

<sup>2</sup>One of two studies (MRID no. 42052801) produced moderate sensitization when the induction phase employed intradermal injection of (Z)-9-tricosene, and the other study (MRID no. 41783605) showed that (Z)-9-tricosene did not cause dermal sensitization when applied to the shaved skin during the induction phase of the study.

#### **a. Acute Toxicity**

Other than slight eye and dermal irritation effects, and one of two dermal sensitization studies showing moderate dermal sensitization, there were no significant treatment-related signs of toxicity. All hypersensitivity incidents must be reported if they occur.

#### **b. Mutagenicity**

Since this compound is not related to a known mutagen or belong to a class of chemical compounds containing known mutagens, and since the use is not likely to result in significant human exposure this requirement is waived.

**c. Immune Response**

Due to the lack of significant exposure and lack of significant acute toxicity concerns under the current use patterns this requirement is waived.

**d. Subchronic Toxicity**

Due to the lack of significant exposure and lack of significant acute toxicity concerns under the current use patterns the 90-day feeding, dermal, and inhalation studies are waived.

**2. Exposure Assessment**

**a. Dietary Exposure**

There are no established tolerances or a tolerance exemption for (Z)-9-tricosene. All labels bearing directions for use in food/feed handling establishments and livestock premises carry the restrictions, to not place directly over exposed food or food preparation areas and to restrict use away from food and feed areas and out of reach of livestock. Therefore, these uses as restricted are classified as non-food uses. Thus there are no dietary exposure concerns for the current uses of (Z)-9-tricosene.

**b. Occupational and Residential**

Based on low exposure and lack of significant toxicological concerns as demonstrated in the mammalian toxicology data base, there are no exposure concerns and therefore no exposure data are required for the biochemical (Z)-9-tricosene.

**3. Human Risk Assessment**

The potential risks to humans from both nondietary and dietary routes are considered negligible because the active ingredients are embedded or impregnated in a solid polymeric matrix or shell, there is low exposure and lack of significant toxicological concerns, as demonstrated in the submitted toxicology studies.

## **C. Environmental Assessment**

### **1. Environmental Fate**

#### **a. Environmental Chemistry, Fate and Transport**

The Agency relied on data available in the literature to assess the environmental fate and transport of (Z)-9-tricosene used as a pesticidal compound.

#### **b. Environmental Fate Assessment**

(Z)-9-tricosene or (cis-9-tricosene), is a twenty-three carbon straight chain compound with a double bond between the ninth and tenth carbon atom. It is in the general hydrocarbon family referred to as alkenes. This family of compounds is relatively more reactive than saturated hydrocarbons (alkanes) in laboratory reactions. However, in the environment alkenes would be expected to persist. The solubility of straight chain alkenes generally tends to decrease as the number of carbons increases. The major routes of dissipation in the environment would be expected to be volatilization and microbial mediated degradation.

### **2. Ecological Effects Data**

#### **a. Terrestrial Data**

Mammalian acute toxicity data, described in sections above, suggest (Z)-9-tricosene has low toxicity to mammalian species that may come in contact with this pesticide in the environment.

In order to establish the toxicity of (Z)-9-tricosene to birds, the following tests were required using the technical grade material: one avian single-dose oral ( $LD_{50}$ ) study on either a waterfowl species or an upland game species (preferably the bobwhite quail); and one subacute dietary ( $LC_{50}$ ) study on one species of waterfowl or one species of upland game bird (preferably the bobwhite quail).

### (1) Avian Acute Toxicity

<b>Avian Acute Oral Toxicity Findings</b>			
<b>Species</b>	<b>% Test Material</b>	<b>LD<sub>50</sub></b>	<b>Conclusions</b>
Bobwhite quail	> 98%	> 2000 mg/kg	Practically Non-toxic
Mallard duck	> 96%	> 4650 mg/kg	Practically Non-toxic
Mallard duck	98.7%	> 4640 mg/kg	Practically Non-toxic

These results demonstrate that (Z)-9-tricosene is practically non-toxic to birds on an acute oral basis. The requirement for the avian acute oral LD<sub>50</sub> study for (Z)-9-tricosene is fulfilled. (MRID#s 70475; 41785403)

### (2) Avian Subacute Dietary Toxicity

<b>Avian Subacute Dietary Toxicity Findings</b>			
<b>Species</b>	<b>%Test Material</b>	<b>LC<sub>50</sub></b>	<b>Conclusions</b>
Bobwhite Quail	> 98%	> 5000 ppm	Practically Non-toxic
Mallard Duck	98.7%	> 10,000 ppm	Practically Non-toxic
Bobwhite Quail	98.7%	> 10,000 ppm	Practically Non-toxic
Bobwhite Quail	72.9%	> 4640 ppm	Practically Non-toxic
Mallard Duck	72.9%	> 4640 ppm	Practically Non-toxic

On a subacute dietary basis, (Z)-9-tricosene is practically non-toxic to upland game birds and waterfowl. The requirement for the avian dietary LC<sub>50</sub> study is fulfilled. (MRID#s 7036; 7196; 70471, 70472; 41785404)

### (3) Avian Reproduction

Avian reproduction studies are required for a pesticide when birds may be subjected to repeated or continuous exposure. Avian reproduction studies have been required to support the reregistration of



(Z)-9-tricosene due to the repeated broadcast applications of some products containing granules and crystals. In this case previously submitted studies indicate avian reproductive effects at low levels of concentrations of (Z)-9-tricosene. Five studies have been submitted, each has been determined to be scientifically credible. However, each has deficiencies from Agency testing standards.

<b>Avian Reproduction Findings</b>		
<b>Species</b>	<b>% A.I.</b>	<b>Reproductive Impairment</b>
Mallard Duck	94.7%	> 0.10 ppm
Mallard Duck	TGAI	2.0 ppm
Mallard Duck	98.7%	20.0 ppm
Bobwhite Quail	TGAI	20.0 ppm*
Bobwhite Quail	98.7%	20.0 ppm*

**\* Note: No effects were noted at the highest dose tested.**

The data indicate that technical (Z)-9-tricosene may impair reproduction in waterfowl at very low exposures. For bobwhite quail, an upland game species, there were no reproductive effects at up to 20 ppm, which was the highest dose tested, for technical grade active ingredient (TGAI) and 98.7% active ingredient. For mallard ducks adverse reproductive effects were found in two studies. One study indicates effects to normal hatchlings and 14-day old survivors at 2 ppm and 20 ppm, respectively; and on viable embryos and live three-week embryos at 20 ppm. The other study indicates no adverse effects at 2 ppm, however, at 20 ppm there were significant differences from the control for live 3-week embryos, normal hatchlings, and 14-day old survivors. The third study available on the mallard duck showed no effects at 0.10 ppm. These avian reproduction studies were considered supplemental because they do not include all of the necessary data required to complete a risk assessment. (MRID#s 7019; 7038; 70473; 83020; 84455)

These studies, while deficient, suggest (Z)-9-tricosene may impair reproduction in waterfowl. Avian reproduction studies are required for a pesticide when birds may be subjected to repeated or continuous exposure to a pesticide. Due to the limitations of these studies, the Agency would normally require a repeated avian reproduction study with the mallard duck for products applied by broadcast applications in order to confirm the reproductive hazard potential. A repeat study will not be required for products encased in a solid matrix form or impregnated material (bait stations and strips) because it is assumed that this type of product will result in minimal exposure to birds. A repeat study for the broadcast use will not be required for reasons discussed in Section IV.A.1, Eligibility Decision.

**b. Aquatic Data**

In order to establish the toxicity of (Z)-9-tricosene to freshwater fish, the minimum data required on the technical grade of the active ingredient is one 96-hour acute study.

<b>Freshwater Fish Acute Toxicity Findings</b>			
<b>Species</b>	<b>% Test Material (TGAD)</b>	<b>LC<sub>50</sub></b>	<b>Conclusions</b>
Rainbow trout	98.7%	> 1000 ppm	Practically Non-toxic
Rainbow trout	72.9%	> 1000 ppm	Practically Non-toxic
Bluegill sunfish	98.7%	> 1000 ppm	Practically Non-toxic
Bluegill sunfish	72.9%	> 1000 ppm	Practically Non-toxic

The data suggest that (Z)-9-tricosene is practically non-toxic to freshwater fish. However, these data were collected in a static test with undissolved test material visible and no analytical data were submitted on actual concentrations in the water. Therefore, the true toxicity of (Z)-9-tricosene to freshwater fish cannot be determined (MRID#s 7037; 70470). However, the Agency is not requiring additional data because the risk potential is considered to be low from the current uses.

### (1) Freshwater Invertebrate Toxicity

In order to establish the toxicity of (Z)-9-tricosene to freshwater invertebrates, the minimum data required on the technical grade of the active ingredient is a 48-hour acute study. The preferable test organism is first instar *Daphnia magna*.

Freshwater Invertebrate Toxicity Findings			
Species	% Test Material (TGAI)	LC <sub>50</sub>	Conclusions
<i>Daphnia magna</i>	98.7%	1.08 ppm	Highly toxic

The data suggest that (Z)-9-tricosene is highly toxic to freshwater invertebrates. However, these data were collected in a static test with undissolved test material visible and no analytical data were submitted on actual concentrations in the water. Therefore, the true toxicity of (Z)-9-tricosene to freshwater invertebrates cannot be determined (MRID# 70474). However, the Agency is not requiring a confirmatory study because the risk potential is considered to be low from the current uses.

### 3. Ecological Effects Risk Assessment

#### Terrestrial Organisms

For those products which contain solid matrix forms and impregnated materials (bait stations and strips) as the end-use product it is assumed that exposure to terrestrial species will be minimal. The nature of these products and how they are used do not allow for an ecological risk assessment to be performed. However, no adverse effects to terrestrial species are expected with the use of (Z)-9-tricosene in these products.

For those products formulated as crystals or granules an acute toxicity risk assessment can be performed with the core acute avian toxicity data and limited use and application information. From this information, minimal acute effects can be expected for the granular formulation for the application rate of 0.25 lb/500 ft<sup>2</sup>.

To estimate the possible avian reproduction risk from the use of the granular and crystalline formulations of (Z)-9-tricosene, a more

complete reproduction study would be needed. However, the avian reproduction studies, described above, suggest reproductive effects can occur at concentrations as low as 2 ppm in the diet.

For (Z)-9-tricosene in the granular or crystalline broadcast applications the label rate is 3-4 oz. of product per 500 square foot. Since there are 28 grams in an ounce this is more or less a gram per square foot. A square foot would then contain approximately the amount required to produce effects in a large bird and more than the amount required to produce effects in a smaller bird. Under these circumstances, it is assumed the bird will ingest enough product to produce effects. In order to perform a more complete exposure assessment for birds the Agency would need to know how attractive the product is to birds, how often it is applied, how persistent it is, and the extent of its use.

#### Aquatic Organisms

For those products which contain solid matrix forms and impregnated materials (bait stations and strips) as the end-use product it is assumed that exposure to aquatic organisms will be minimal. The nature of these products and how they are used do not allow for an ecological risk assessment to be performed. However, no adverse effects to aquatic organisms are expected with the use of (Z)-9-tricosene in these products.

For those products formulated as crystals and granules a preliminary aquatic organism risk assessment was performed using the available supplemental acute freshwater toxicity data and limited use and application information on granular (Z)-9-tricosene. A direct application model was used to calculate the expected estimated environmental concentration (EEC) for the granular formulation. Based on this exposure model, the preliminary risk assessment suggests that adverse effects to aquatic invertebrates may occur if accidental direct application occurred. The environmental hazard statement on the label is sufficient to mitigate this risk. The Agency is not requiring additional data due to the low risk potential of (Z)-9-tricosene from the current uses.

#### Endangered Species

For those products formulated as crystals and granules, based on the current use patterns and amount of active ingredient used, potential risk of adverse acute effects to avian, aquatic, and mammalian

endangered species would be minimal. However, there could be risk of reproduction effects to endangered avian species.

#### **IV. RISK MANAGEMENT AND REREGISTRATION DECISION**

##### **A. Determination of Eligibility**

Section 4(g)(2)(A) of FIFRA calls for the Agency to determine, after submission of relevant data concerning an active ingredient, whether products containing the active ingredients are eligible for reregistration. The Agency has previously identified and required the submission of the generic (i.e. active ingredient specific) data required to support reregistration of products containing (Z)-9-tricosene active ingredients. The Agency has completed its review of these generic data, and has determined that the data are sufficient to support reregistration of all products containing (Z)-9-tricosene. Appendix B identifies the generic data requirements that the Agency reviewed as part of its determination of reregistration eligibility of (Z)-9-tricosene, and lists the submitted studies that the Agency found acceptable. There are certain technical chemistry issues to be resolved which include the method used to quantify the percent active ingredient. This leads to a deficiency in the certification of ingredient limits, and also to validation of the method used to verify certified limits.

The data identified in Appendix B were sufficient to allow the Agency to assess the registered uses of (Z)-9-tricosene and to determine that (Z)-9-tricosene when used according to the stipulations in this document should not result in unreasonable adverse effects to humans and the environment. The Agency therefore finds that all products containing (Z)-9-tricosene as the active ingredients and if modified to requirements in this document are eligible for reregistration. The reregistration of particular products is addressed in Section V of this document.

The Agency made its reregistration eligibility determination based upon the target data base required for reregistration, the current guidelines for conducting acceptable studies to generate such data and the data identified in Appendix B. Although the Agency has found that all uses of (Z)-9-tricosene as limited in this document are eligible for reregistration, it should be understood that the Agency may take appropriate regulatory action, and/or require the submission of additional data to support the registration of products containing (Z)-9-tricosene, if new information comes to the Agency's attention or if the data requirements for registration (or the guidelines for generating such data) change.

## **1. Eligibility Decision**

Based on the reviews of the generic data for the active ingredients (Z)-9-tricosene, the Agency has sufficient information on the health effects of (Z)-9-tricosene and on its potential for causing adverse effects in fish and wildlife and the environment. As described above, the Agency has concerns about avian reproduction risks for the broadcast application of the crystal and granular products. The use of these products can result in repeated exposure to avian species, and two reproduction studies suggest reproductive effects may occur at levels as low as 2 ppm in the diet of mallard ducks. To mitigate the avian reproduction risk posed by the broadcast application of (Z)-9-tricosene crystal and granular products, the registrants are required to change these products and their method of application to bait stations or make other substantial changes to significantly reduce the exposure to birds. Registrants are in the process of changing these formulations and application methods to bait stations to reduce the exposure to birds. Therefore, the Agency has determined that (Z)-9-tricosene products, labeled and used as specified in this Reregistration Eligibility Decision, will not pose unreasonable risks or adverse effects to humans or the environment.

## **2. Eligible and Ineligible Uses**

The Agency has determined that the uses of (Z)-9-tricosene as specified in this RED Document are eligible for reregistration.

# **V. ACTIONS REQUIRED BY REGISTRANTS**

This section specifies the data requirements and responses necessary for the reregistration of both manufacturing-use and end-use products.

## **A. Manufacturing-Use Products**

### **1. Additional Generic Data Requirements**

The generic data base supporting the reregistration of (Z)-9-tricosene for the above eligible uses has been reviewed and determined to be substantially complete. However, there are certain technical chemistry issues to be resolved which include the method used to quantify the percent active ingredient. This leads to a deficiency in the certification of ingredient limits, and also to validation of the method used to verify certified limits.

## **2. Labeling Requirements for Manufacturing-Use Products**

To remain in compliance with FIFRA, manufacturing use product (MP) labeling must be revised to comply with all current EPA regulations, PR Notices, and any applicable policies. The MP labeling must bear the following statement under Directions for Use:

"Only for formulation into an [ fill in with insecticide, herbicide or the applicable term which describes the type of pesticide use(s) ]for the following use(s): [ fill blank only with those uses that are being supported by MP registrant]."

An MP registrant may, at his/her discretion, add one of the following statements to an MP label under "Directions for Use" to permit the reformulation of the product for a specific use or all additional uses supported by a formulator or user group:

(a) "This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding the support of such use(s)"

(b) "This product ay be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding the support of such use(s)"

## **B. End-Use Products**

### **1. Additional Product-Specific Data Requirements**

Section 4(g)(2)(B) of FIFRA calls for the Agency to obtain any needed product-specific data regarding the pesticide after a determination of eligibility has been made. The product specific data requirements are listed in Appendix G, the Product Specific Data Call-In Notice.

Registrants must review previous data submissions to ensure that they meet current EPA acceptance criteria (Appendix F; Attachment E) and if not, commit to conduct new studies. If a registrant believes that previously submitted data meet current testing standards, then study MRID numbers should be cited according to the instructions in the Requirement Status and Registrants Response Form provided for each product.

## **2. Product Modifications for Avian Risk Mitigation**

As discussed above, the Agency is requiring registrants of products formulated as granulars or crystals with directions for broadcast application to modify their products accordingly to substantially reduce exposure to birds. This must be accomplished during the existing stocks time frames as stated below.

## **3. Labeling Requirements for End-Use Products**

The labels and labeling of all products must comply with EPA's current regulations and requirements as specified in 40 CFR §156.10.

### **C. Existing Stocks**

Registrants may generally distribute and sell products bearing old labels/labeling for 26 months from the date of the issuance of this Reregistration Eligibility Decision (RED). Persons other than the registrant may generally distribute or sell such products for 50 months from the date of the issuance of this RED. However, existing stocks time frames will be established case-by-case, depending on the number of products involved, the number of label changes, and other factors. Refer to "Existing Stocks of Pesticide Products; Statement of Policy"; Federal Register, Volume 56, No. 123, June 26, 1991.

The Agency has determined that registrants may distribute and sell (Z)-9-tricosene products bearing old labels/labeling, i.e. labels absent the modifications specified in this RED document, except as noted below, for 26 months from the date of issuance of this RED. Persons other than the registrant may distribute or sell such products for 50 months from the date of the issuance of this RED. Registrants and persons other than registrants remain obligated to meet pre-existing Agency imposed label changes and existing stocks requirements applicable to your products.



## **VI. APPENDICES**



## **APPENDIX A. Table of Use Patterns Subject to Reregistration**



SITE Application Type, Application Timing, Application Equipment - Surface Type (Antimicrobial only) & Efficacy Influencing Factor (Antimicrobial only)	Form(s)	Min. Appl. Rate (AI unless noted otherwise)	Max. Appl. Rate (AI unless noted otherwise)	Soil Max. @ Max. Dose cycle	Max. # Apps /year	Max. Dose [(AI unless noted otherwise)/A] /crop /year cycle	Min. Restr. Interv (days)	Restr. Entry Interv [day(s)]	Geographic Limitations Allowed	Geographic Limitations Disallowed	Use Limitations Codes
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## USES ELIGIBLE FOR REREGISTRATION

## FOOD/FEED USES

## AGRICULTURAL CROPS/SOILS (UNSPECIFIED)

Use Group: TERRESTRIAL FOOD+FEED CROP

Bait application., When needed., Glove.	B/S	NA	.0045 lb	A	*	NS	NS	NS	NS	AN	NS	AZ
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## AGRICULTURAL UNCULTIVATED AREAS

Use Group: TERRESTRIAL FOOD+FEED CROP

Bait application., When needed., Glove.	B/S	NA	.0045 lb	A	*	NS	NS	NS	NS	AN	NS	AZ
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## AGRICULTURAL/FARM STRUCTURES/BUILDINGS AND EQUIPMENT

Use Group: INDOOR FOOD

Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb	sq.ft	*	NS	NS	NS	NS	NS	NS	
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	IMPR	NA	UC	*	NS	NS	NS	NS	NS	NS	NS	
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Bait station., When needed., Not applicable.	FM/S	NA	UC	*	NS	NS	NS	NS	NS	14	NS	
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## CALVES (MEAT)

Use Group: INDOOR FOOD

Insecticidal strip., When needed., Not applicable.	B/S	NA	UC	*	NS	NS	NS	NS	NS	AN	NS	
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## DAIRY CATTLE (LACTATING OR UNSPECIFIED)

Use Group: INDOOR FOOD

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb	sq.ft	*	NS	NS	NS	NS	AN	NS	
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Bait station., When needed., Not applicable.	FM/S	NA	UC	*	NS	NS	NS	NS	NS	14	NS	
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Insecticidal strip., When needed., Not applicable.	B/S	NA	UC	*	NS	NS	NS	NS	NS	AN	NS	
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Litter and bedding treatment., When needed., Glove.	CR	NA	3.900E-06 lb	sq.ft	*	NS	NS	NS	NS	AN	NS	
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Manure treatment., When needed., Glove.	CR	NA	3.900E-06 lb	sq.ft	*	NS	NS	NS	NS	AN	NS	
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## FOOD PROCESSING PLANT NON-FOOD HANDLING AREAS

Use Group: INDOOR FOOD

Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb	sq.ft	*	NS	NS	NS	NS	NS	NS	
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## FOOD PROCESSING PLANT PREMISES (NONFOOD CONTACT)

Use Group: INDOOR FOOD

Bait station., When needed., Not applicable.	FM/S	NA	UC	*	NS	NS	NS	NS	NS	14	NS	
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SITE Application Type, Application Timing, Application Equipment - Surface Type (Antimicrobial only) & Efficacy Influencing Factor (Antimicrobial only)	Form(s)	Min. Appl. Rate (AI unless noted otherwise)	Max. Appl. Rate (AI unless noted otherwise)	Soil Max. @ Max. Rate	Max. # Apps /year	Max. Dose [(AI unless noted otherwise)/A]	Min. Restr. Interv (days)	Geographic Limitations Allowed	Disallowed	Use Limitations Codes
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## USES ELIGIBLE FOR REREGISTRATION

## FOOD/FEED USES (con't)

## FOOD/GROCERY/MARKETING/STORAGE/DISTRIBUTION FACILITY PREMISE

Use Group: INDOOR FOOD

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS	A02
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Bait station., When needed., Not applicable.	FM/S	NA	UC	*	NS	NS	NS	NS	14	NS	
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## HOG/PIG/SWINE (MEAT)

Use Group: INDOOR FOOD

Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb sq.ft	*	NS	NS	NS	NS	NS	NS	
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Bait station., When needed., Not applicable.	FM/S	NA	UC	*	NS	NS	NS	NS	14	NS	
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Insecticidal strip., When needed., Not applicable.	B/S	NA	UC	*	NS	NS	NS	NS	AN	NS	
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## LIVESTOCK

Use Group: INDOOR FOOD

Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb sq.ft	*	NS	NS	NS	NS	NS	NS	
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Bait station., When needed., Not applicable.	FM/S	NA	UC	*	NS	NS	NS	NS	14	NS	
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Insecticidal strip., When needed., Not applicable.	B/S	NA	UC	*	NS	NS	NS	NS	AN	NS	
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## MANURE

Use Group: TERRESTRIAL FOOD+FEED CROP

Manure treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS	
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## POULTRY (EGG/MEAT)

Use Group: INDOOR FOOD

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS	
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Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb sq.ft	*	NS	NS	NS	NS	NS	NS	
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Bait application., When needed., Package applicator.	B/S	NA	1.250E-07 lb sq.ft	*	NS	NS	NS	NS	AN	NS	
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Bait station., When needed., Not applicable.	FM/S	NA	UC	*	NS	NS	NS	NS	14	NS	
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Bait station., When needed., Not on label.	B/S	NA	1.250E-07 lb sq.ft	*	NS	NS	NS	NS	NS	NS	
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SITE Application Type, Application Timing, Application Equipment - Surface Type (Antimicrobial only) & Efficacy Influencing Factor (Antimicrobial only)	Form(s)	Min. Appl. Rate (AI unless noted otherwise)	Max. Appl. Rate (AI unless noted otherwise)	Soil Max. @ Max. Rate	Max. # Apps /crop /year	Max. Dose [(AI unless noted otherwise)/A] /crop /year	Min. Restr. Interv Entry (days)	Geographic Limitations Allowed	Geographic Limitations Disallowed	Use Limitations Codes
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## USES ELIGIBLE FOR REREGISTRATION

## FOOD/FEED USES (con't)

## POULTRY (EGG/MEAT) (con't)

## Use Group: INDOOR FOOD (con't)

Insecticidal strip., When needed., Not applicable.	B/S	NA		UC	*	NS	NS	NS	NS	AN	NS
Litter and bedding treatment., When needed., Glove.	CR	NA	1.000E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Manure treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS

## RABBITS (MEAT)

## Use Group: INDOOR FOOD

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Manure treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS

## NON-FOOD/NON-FEED

## AGRICULTURAL UNCULTIVATED AREAS

## Use Group: TERRESTRIAL NON-FOOD CROP

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb sq.ft		*	NS	NS	NS	NS	NS	NS
	IMPR	NA		UC	*	NS	NS	NS	NS	NS	NS
Bait application., When needed., Package applicator.	B/S	NA	1.250E-07 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Bait station., When needed., Not on label.	B/S	NA	1.250E-07 lb sq.ft		*	NS	NS	NS	NS	NS	NS
Insecticidal strip., When needed., Not applicable.	B/S	NA		UC	*	NS	NS	NS	NS	AN	NS

## ANIMAL KENNELS/SLEEPING QUARTERS (COMMERCIAL)

## Use Group: INDOOR NON-FOOD

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb sq.ft		*	NS	NS	NS	NS	NS	NS

SITE Application Type, Application Timing, Application Equipment - Surface Type (Antimicrobial only) & Efficacy Influencing Factor (Antimicrobial only)	Form(s)	Min. Appl. Rate (AI unless noted otherwise)	Max. Appl. Rate (AI unless noted otherwise)	Soil Max. @ Max. Rate	Max. # Apps /year	Max. Dose [(AI unless noted otherwise)/A] /crop /year	Min. Restr. Interv (days)	Restr. Entry	Geographic Limitations Allowed	Geographic Limitations Disallowed	Use Limitations Codes
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## USES ELIGIBLE FOR REREGISTRATION

NON-FOOD/NON-FEED (con't)

## ANIMAL KENNELS/SLEEPING QUARTERS (COMMERCIAL) (con't) Use Group: INDOOR NON-FOOD (con't)

Bait station., When needed., Not applicable.	FM/S	NA		UC	*	NS	NS	NS	NS	14	NS
Insecticidal strip., When needed., Not applicable.	B/S	NA		UC	*	NS	NS	NS	NS	AN	NS
Litter and bedding treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Manure treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS

## Use Group: TERRESTRIAL NON-FOOD CROP

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb sq.ft		*	NS	NS	NS	NS	NS	NS
Bait application., When needed., Package applicator.	B/S	NA	1.250E-07 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Bait station., When needed., Not on label.	B/S	NA	1.250E-07 lb sq.ft		*	NS	NS	NS	NS	NS	NS
Manure treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS

## COMMERCIAL/INSTITUTIONAL/INDUSTRIAL PREMISES/EQUIP. (INDOOR) Use Group: INDOOR NON-FOOD

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Bait station., When needed., Not applicable.	FM/S	NA		UC	*	NS	NS	NS	NS	14	NS

## COMMERCIAL/INSTITUTIONAL/INDUSTRIAL PREMISES/EQUIPMENT (OUTDOOR) Use Group: TERRESTRIAL NON-FOOD CROP

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft		*	NS	NS	NS	NS	AN	NS
Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb sq.ft		*	NS	NS	NS	NS	NS	NS
Bait application., When needed., Package applicator.	B/S	NA	1.250E-07 lb sq.ft		*	NS	NS	NS	NS	AN	NS



SITE Application Type, Application Timing, Application Equipment - Surface Type (Antimicrobial only) & Efficacy Influencing Factor (Antimicrobial only)	Form(s)	Min. Appl. Rate (AI unless noted otherwise)	Max. Appl. Rate (AI unless noted otherwise)	Soil Max. @ Max. Rate unless noted otherwise)	Max. # Apps /crop /year	Max. Dose [(AI unless noted otherwise)/A] /crop /year	Min. Restr. Interv (days)	Entry Allowed	Geographic Limitations Disallowed	Use Limitations Codes
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## USES ELIGIBLE FOR REREGISTRATION

NON-FOOD/NON-FEED (con't)

## COMMERCIAL/INSTITUTIONAL/INDUSTRIAL PREMISES/EQUIPMENT (OUTDOOR) (con't) Use Group: TERRESTRIAL NON-FOOD CROP (con't)

Bait station., When needed., Not on label.	B/S	NA	1.250E-07 lb sq.ft	*	NS	NS	NS	NS	NS	NS
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Insecticidal strip., When needed., Not applicable.	B/S	NA	UC	*	NS	NS	NS	NS	AN	NS
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## EATING ESTABLISHMENTS NON-FOOD AREAS (NONFOOD CONTACT) Use Group: INDOOR NON-FOOD

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS
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## FUR FARM EQUIPMENT/PREMISES Use Group: INDOOR NON-FOOD

Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb sq.ft	*	NS	NS	NS	NS	NS	NS
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## GOLF COURSE TURF Use Group: TERRESTRIAL NON-FOOD CROP

Bait application., When needed., Glove.	B/S	NA	.0045 lb A	*	NS	NS	NS	NS	AN	NS	AZ
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## HORSES (SHOW/RACE/SPECIAL/PONIES) Use Group: INDOOR NON-FOOD

Attractant treatment., When needed., Not applicable.	FM/S	NA	2.400E-07 lb sq.ft	*	NS	NS	NS	NS	NS	NS
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Bait station., When needed., Not applicable.	FM/S	NA	UC	*	NS	NS	NS	NS	14	NS
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Insecticidal strip., When needed., Not applicable.	B/S	NA	UC	*	NS	NS	NS	NS	AN	NS
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## HOUSEHOLD/DOMESTIC DWELLINGS Use Group: INDOOR RESIDENTIAL

Attractant treatment., When needed., Not applicable.	IMPR	NA	UC	*	NS	NS	NS	NS	NS	NS
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## HOUSEHOLD/DOMESTIC DWELLINGS INDOOR PREMISES Use Group: INDOOR RESIDENTIAL

Attractant treatment., When needed., Not applicable.	IMPR	NA	UC	*	NS	NS	NS	NS	AN	NS
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Bait station., When needed., Not applicable.	FM/S	NA	UC	*	NS	NS	NS	NS	14	NS
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## HOUSEHOLD/DOMESTIC DWELLINGS OUTDOOR PREMISES Use Group: OUTDOOR RESIDENTIAL

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS
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SITE Application Type, Application Timing, Application Equipment - Surface Type (Antimicrobial only) & Efficacy Influencing Factor (Antimicrobial only)	Form(s)	Min. Appl. Rate (AI un- less noted otherwise)	Max. Appl. Rate (AI Tex. unless noted otherwise)	Soil Max. @ Max. Rate /crop /year	Max. # Apps /year	Max. Dose [(AI unless noted otherwise)/A] /crop /year	Min. Restr. Interv Entry [day(s)]	Geographic Limitations Allowed Disallowed	Use Limitations Codes
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## USES ELIGIBLE FOR REREGISTRATION

## NON-FOOD/NON-FEED (con't)

## HOUSEHOLD/DOMESTIC DWELLINGS OUTDOOR PREMISES (con't) Use Group: OUTDOOR RESIDENTIAL (con't)

Attractant treatment., When needed., Not applicable.	IMPR	NA		UC	*	NS	NS	NS	NS	NS
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Perimeter treatment., When needed., Glove.	B/S	NA	.0045 lb A	*	NS	NS	NS	NS	AN	NS	AZ
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## INCINERATORS Use Group: INDOOR RESIDENTIAL

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS
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## RABBITS Use Group: INDOOR NON-FOOD

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS
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Manure treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS
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## RECREATIONAL AREAS Use Group: TERRESTRIAL NON-FOOD CROP

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS
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## REFUSE/SOLID WASTE CONTAINERS (GARBAGE CANS) Use Group: INDOOR RESIDENTIAL

Bait station., When needed., Not applicable.	FM/S	NA		UC	*	NS	NS	NS	NS	14	NS
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## REFUSE/SOLID WASTE SITES (OUTDOOR) Use Group: TERRESTRIAL NON-FOOD CROP

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	*	NS	NS	NS	NS	AN	NS
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Attractant treatment., When needed., Hand held duster.	CR	NA	6.500E-07 lb sq.ft	*	NS	NS	NS	NS	AN	NS
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Bait application., When needed., Package applicator.	B/S	NA	1.250E-07 lb sq.ft	*	NS	NS	NS	NS	AN	NS
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Bait station., When needed., Not on label.	B/S	NA	1.250E-07 lb sq.ft	*	NS	NS	NS	NS	NS	NS
--	-----	----	--------------------	---	----	----	----	----	----	----

Insecticidal strip., When needed., Not applicable.	B/S	NA		UC	*	NS	NS	NS	NS	AN	NS
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## SPECIALIZED ANIMALS Use Group: INDOOR NON-FOOD

SITE Application Type, Application Timing, Application Equipment - Surface Type (Antimicrobial only) & Efficacy Influencing Factor (Antimicrobial only)	Form(s)	Min. Appl. Rate (AI un- less noted otherwise)	Max. Appl. Rate (AI un- less noted otherwise)	Soil Max. # Apps @ Max. Rate /crop /year Dose cycle	Max. Dose [(AI unless noted otherwise)/A] /crop /year cycle	Min. Restr. Interv Entry (days) Interv [day(s)]	Geographic Limitations Allowed Disallowed	Use Limitations Codes
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## USES ELIGIBLE FOR REREGISTRATION

NON-FOOD/NON-FEED (con't)

## SPECIALIZED ANIMALS (con't) Use Group: INDOOR NON-FOOD (con't)

Attractant treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	* NS NS	NS NS	AN NS	NS
Litter and bedding treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	* NS NS	NS NS	AN NS	NS
Manure treatment., When needed., Glove.	CR	NA	3.900E-06 lb sq.ft	* NS NS	NS NS	AN NS	NS

NOT SPECIFIED

## EATING ESTABLISHMENTS Use Group: INDOOR FOOD+INDOOR NON-FOOD

Bait station., When needed., Not applicable.	FM/S	NA		UC * NS NS	NS NS	14 NS	NS
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## SITE NOT SPECIFIED Use Group: USE GROUP FOR SITE 00000

Attractant treatment., When needed., Not applicable.	IMPR	NA		UC * NS NS	NS NS	30 NS	NS
Bait station., When needed., Not applicable.	FM/S	NA		UC * NS NS	NS NS	7 NS	NS

## LEGEND

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## HEADER ABBREVIATIONS

Min. Appl. Rate (AI unless : Minimum dose for a single application to a single site. System calculated. Microbial claims only.  
noted otherwise)  
Max. Appl. Rate (AI unless : Maximum dose for a single application to a single site. System calculated.  
noted otherwise)  
Soil Tex. Max. Dose : Maximum dose for a single application to a single site as related to soil texture (Herbicide claims only).  
Max. # Apps @ Max. Rate : Maximum number of Applications at Maximum Dosage Rate. Example: "4 applications per year" is expressed as "4/1 yr"; "4 applications per 3  
years" is expressed as "4/3 yr"  
Max. Dose [(AI unless : Maximum dose applied to a site over a single crop cycle or year. System calculated.  
noted otherwise)/A]  
Min. Interv (days) : Minimum Interval between Applications (days)  
Restr. Entry Interv (days) : Restricted Entry Interval (days)

## SOIL TEXTURE FOR MAX APP. RATE

\* : Non-specific  
C : Coarse  
M : Medium  
F : Fine  
O : Others

## FORMULATION CODES

B/S : BAIT/SOLID  
CR : CRYSTALLINE  
FM/S : FORM NOT IDENTIFIED/SOLID  
IMPR : IMPREGNATED MATERIAL

## ABBREVIATIONS

AN : As Needed  
NA : Not Applicable  
NS : Not Specified (on label)  
UC : Unconverted due to lack of data (on label), or with one of following units: bag, bait, bait block, bait pack, bait station, bait station(s), block, briquet,  
briquets, bursts, cake, can, canister, capsule, cartridges, coil, collar, container, dispenser, drop, eartag, grains, lure, pack, packet, packets, pad, part,  
parts, pellets, piece, pieces, pill, pumps, sec, sec burst, sheet, spike, stake, stick, strip, tab, tablet, tablets, tag, tape, towelette, tray, unit, --

## APPLICATION RATE

DCNC : Dosage Can Not be Calculated  
No Calc : No Calculation can be made  
W : PPM calculated by weight  
V : PPM Calculated by volume  
cwt : Hundred Weight  
nnE-xx : nn times (10 power -xx); for instance, "1.234E-04" is equivalent to ".0001234"

## USE LIMITATIONS CODES

A02 : Inedible product area.  
\* NUMBER IN PARENTHESES REPRESENTS THE NUMBER OF TIME UNITS (HOURS,DAYS, ETC.) DESCRIBED IN THE LIMITATION.

## GEOGRAPHIC CODES

AZ : Arizona

**APPENDIX B. Table of the Generic Data Requirements  
and Studies Used to Make the Reregistration Decision**



## **GUIDE TO APPENDIX B**

Appendix B contains listings of data requirements which support the reregistration for active ingredients within the case (Z)-9-Tricosene covered by this Reregistration Eligibility Decision Document. It contains generic data requirements that apply to (Z)-9-Tricosene in all products, including data requirements for which a "typical formulation" is the test substance.

The data table is organized in the following format:

1. Data Requirement (Column 1). The data requirements are listed in the order in which they appear in 40 CFR Part 158. The reference numbers accompanying each test refer to the test protocols set in the Pesticide Assessment Guidelines, which are available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 (703) 487-4650.

2. Use Pattern (Column 2). This column indicates the use patterns for which the data requirements apply. The following letter designations are used for the given use patterns:

A	Terrestrial food
B	Terrestrial feed
C	Terrestrial non-food
D	Aquatic food
E	Aquatic non-food outdoor
F	Aquatic non-food industrial
G	Aquatic non-food residential
H	Greenhouse food
I	Greenhouse non-food
J	Forestry
K	Residential
L	Indoor food
M	Indoor non-food
N	Indoor medical
O	Indoor residential

3. Bibliographic citation (Column 3). If the Agency has acceptable data in its files, this column lists the identifying number of each study. This normally is the Master Record Identification (MRID) number, but may be a "GS" number if no MRID number has been assigned. Refer to the Bibliography appendix for a complete citation of the study.





# APPENDIX B

## Data Supporting Guideline Requirements for the Reregistration of (Z)-9-Tricosene

REQUIREMENT	USE PATTERN	CITATION(S)	
<b>PRODUCT CHEMISTRY</b>			
151B-10	Chemical Identity	CMO	40883001; additional data required
151B-11	Start. Mat. & Mnfg. Process	CMO	40883001
151B-12	Formation of Impurities	CMO	40883001
151B-13	Preliminary Analysis	CMO	40883002; additional data required
151B-15	Certification of limits	CMO	40883002; additional data required
151B-16	Analytical Method	CMO	40883002; additional data required
151B-17a	Color	CMO	40883003
151B-17b	Physical State	CMO	40883003
151B-17c	Odor	CMO	40883003
151B-17d	Melting Point	CMO	40883003
151B-17e	Boiling Point	CMO	40883003
151B-17f	Density	CMO	40883003
151B-17g	Solubility	CMO	40883003
151B-17h	Vapor Pressure	CMO	40883003
151B-17j	Stability	CMO	40883003
<b>ECOLOGICAL EFFECTS</b>			
154B-6	Acute Avian Oral - Quail	CMO	41785403
154B-6	Acute Avian Oral - Duck	CMO	70475

## **Data Supporting Guideline Requirements for the Reregistration of (Z)-9-Tricosene**

<b>REQUIREMENT</b>	<b>USE PATTERN</b>	<b>CITATION(S)</b>
<b>154B-7a</b> <b>Avian Dietary - Quail</b>	CMO	7196, 70471, 41785404
<b>154B-7b</b> <b>Avian Dietary - Duck</b>	CMO	7036, 70472
<b>71-4A</b> <b>Avian Reproduction - Quail</b>	CMO	70473, 84455
<b>71-4B</b> <b>Avian Reproduction - Duck</b>	CMO	7019, 7038, 83020
<b>154B-8a</b> <b>Fish Toxicity - Rainbow Trout</b>	CMO	7037, 70470
<b>154B-8b</b> <b>Fish Toxicity - Bluegill Sunfish</b>	CMO	7037, 70470
<b>154B-9</b> <b>Invertebrate Toxicity</b>	CMO	70474
<b><u>TOXICOLOGY</u></b>		
<b>152B-10</b> <b>Acute Oral Toxicity - Rat</b>	CMO	41783601, 42077301
<b>152B-11</b> <b>Acute Dermal Toxicity - Rabbit</b>	CMO	41783602, 42077302
<b>152B-12</b> <b>Acute Inhalation Toxicity - Rat</b>	CMO	42176701, 42052802
<b>152B-13</b> <b>Primary Eye Irritation - Rabbit</b>	CMO	41783603, 41785401
<b>152B-14</b> <b>Primary Dermal Irritation - Rabbit</b>	CMO	41783604, 41785402
<b>152B-15</b> <b>Dermal Sensitization - Guinea Pig</b>	CMO	41783605, 42052801
<b>152B-23</b> <b>Developmental Toxicity - Rat</b>	CMO	00093993
<b><u>OCCUPATIONAL/RESIDENTIAL EXPOSURE</u></b>		
<b>Requirements Waived</b>		
<b><u>ENVIRONMENTAL FATE</u></b>		
<b>Requirements Waived</b>		

**APPENDIX C. Citations Considered to be Part of the Data Base Supporting the Reregistration of (Z)-9-Tricosene**



## GUIDE TO APPENDIX C

1. **CONTENTS OF BIBLIOGRAPHY.** This bibliography contains citations of all studies considered relevant by EPA in arriving at the positions and conclusions stated elsewhere in the Reregistration Eligibility Document. Primary sources for studies in this bibliography have been the body of data submitted to EPA and its predecessor agencies in support of past regulatory decisions. Selections from other sources including the published literature, in those instances where they have been considered, are included.
2. **UNITS OF ENTRY.** The unit of entry in this bibliography is called a "study". In the case of published materials, this corresponds closely to an article. In the case of unpublished materials submitted to the Agency, the Agency has sought to identify documents at a level parallel to the published article from within the typically larger volumes in which they were submitted. The resulting "studies" generally have a distinct title (or at least a single subject), can stand alone for purposes of review and can be described with a conventional bibliographic citation. The Agency has also attempted to unite basic documents and commentaries upon them, treating them as a single study.
3. **IDENTIFICATION OF ENTRIES.** The entries in this bibliography are sorted numerically by Master Record Identifier, or "MRID number". This number is unique to the citation, and should be used whenever a specific reference is required. It is not related to the six-digit "Accession Number" which has been used to identify volumes of submitted studies (see paragraph 4(d)(4) below for further explanation). In a few cases, entries added to the bibliography late in the review may be preceded by a nine character temporary identifier. These entries are listed after all MRID entries. This temporary identifying number is also to be used whenever specific reference is needed.
4. **FORM OF ENTRY.** In addition to the Master Record Identifier (MRID), each entry consists of a citation containing standard elements followed, in the case of material submitted to EPA, by a description of the earliest known submission. Bibliographic conventions used reflect the standard of the American National Standards Institute (ANSI), expanded to provide for certain special needs.
  - a. **Author.** Whenever the author could confidently be identified, the Agency has chosen to show a personal author. When no individual was identified, the Agency has shown an identifiable laboratory or testing facility as the author. When no author or laboratory could be identified, the Agency has shown the first submitter as the author.
  - b. **Document date.** The date of the study is taken directly from the document. When the date is followed by a question mark, the bibliographer has deduced the date from the evidence contained in the document. When the date appears

as (19??), the Agency was unable to determine or estimate the date of the document.

- c. **Title.** In some cases, it has been necessary for the Agency bibliographers to create or enhance a document title. Any such editorial insertions are contained between square brackets.
- d. **Trailing parentheses.** For studies submitted to the Agency in the past, the trailing parentheses include (in addition to any self-explanatory text) the following elements describing the earliest known submission:
  - (1) **Submission date.** The date of the earliest known submission appears immediately following the word "received."
  - (2) **Administrative number.** The next element immediately following the word "under" is the registration number, experimental use permit number, petition number, or other administrative number associated with the earliest known submission.
  - (3) **Submitter.** The third element is the submitter. When authorship is defaulted to the submitter, this element is omitted.
  - (4) **Volume Identification (Accession Numbers).** The final element in the trailing parentheses identifies the EPA accession number of the volume in which the original submission of the study appears. The six-digit accession number follows the symbol "CDL," which stands for "Company Data Library." This accession number is in turn followed by an alphabetic suffix which shows the relative position of the study within the volume.

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### CITATION

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- 00007036 Truslow, J.U. (1973) Final Report: Eight-Day Dietary LC50 Mallard Ducks: Muscamone Fly Attractant: Project No. 100-100. (Unpublished study received Oct 14, 1977 under 2724-274; prepared by Truslow Farms, Inc. for Thuron Industries, Inc., submitted by Zoecon Industries, Inc., Dallas, Tex.; CDL:232017-G)
- 00007037 Sleight, B.H., III (1973) Bioassay Report submitted to Zoecon Corporation, Palo Alto, California: Acute Toxicity of Muscamone(TM) to Bluegill (*Lepomis macrochirus*) and Rainbow Trout (*Salmo gairdneri*). (Unpublished study received Oct 14, 1977 under 2724-274; prepared by Bionomics, Inc., submitted by Zoecon Industries, Inc., Dallas, Tex.; CDL:232017-H)
- 00007038 Fink, R. (1974) Final Report: One-Generation Reproduction Study-Mallard Ducks: Technical Muscamone: Project No. 100-104. (Unpublished study including analytical report, received Oct 14, 1977 under 2724-274; prepared by Truslow Farms, Inc. in cooperation with Maryland Dept. of Agriculture for Thuron Industries, Inc., submitted by Zoecon Industries, Inc., Dallas, Tex.; CDL:232017-I)
- 00007196 Fink, R. (1973) Final Report: Eight-Day Dietary LC50 Bobwhite Quail: Technical Muscamone: Project No. 100-102. (Unpublished study received Oct 14, 1977 under 2724-274; prepared by Truslow Farms, Inc. for Thuron Industries, Inc., submitted by Zoecon Industries, Inc., Dallas, Tex.; CDL:232017-F)
- 00070470 Bentley, R.E. (1974) Acute Toxicity of Muscalure to Bluegill (*Leponis macrochirus*) and Rainbow Trout (*Salmo gairdneri*). (Unpublished study received Nov 7, 1977 under 270-129; prepared by Bionomics, EG & G Environmental Consultants, submitted by Farnam Cos., Inc., Phoenix, Ariz.; CDL:232388-B)

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- 00070472 Fink, R. (1975) Final Report: Eight-day Dietary LC50 Mallard Ducks: Project No. 127-102. (Unpublished study received Nov 7, 1977 under 270-129; prepared by Truslow Farms, Inc., submitted by Farnam Cos., Inc., Phoenix, Ariz.; CDL:232388-D)
- 00070473 Fink, R. (1975) Final Report: One-generation Reproduction Study Bobwhite Quail: Project No. 127-103. (Unpublished study received Nov 7, 1977 under 270-129; prepared by Truslow Farms, Inc., submitted by Farnam Cos., Inc., Phoenix, Ariz.; CDL:232388-F)
- 00070474 LeBlanc, G.A. (1976) Acute Toxicity of Muscalure to *Daphnia magna*. (Unpublished study received Nov 7, 1977 under 270-129; prepared by EG & G, Bionomics, submitted by Farnam Cos., Inc., Phoenix, Ariz.; CDL:232388-G)
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- 00083020 Fink, R. (1975) Final Report: One-generation Reproduction Study - Mallard Duck: Project No. 127-104. (Unpublished study received Nov 7, 1977 under 270-129; prepared by Truslow Farms, Inc., submitted by Farnam Cos., Inc., Phoenix, Ariz.; CDL:232388-E)
- 00084455 Fink, R. (1974) Final Report: One-generation Reproduction Study - Bobwhite Quail: Project No. 100-103. (Unpublished study received Jul 24, 1974 under 2724-227; prepared by Truslow Farms, Inc., submitted by Zoecon Industries, Inc., Dallas, Tex.; CDL:229080-A)
- 00093993 Beliles, R.P.; Makris, S.L. (1978) Teratology Study in Rats: Z-9-Tricosene Technical: LBI Project No. 20876. Final rept. (Un-published study received Nov 14, 1979 under 2724-274; prepared by Litton Bionetics, Inc., submitted by Zoecon Industries, Inc., Dallas, Tex.; CDL:246674-A)



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- 40883001 Jovanovich, A. (1988) Product Chemistry: Product Identity and Composition: Application To Register Technical Muscalure (9-tricosene): A Biochemical Attractant for Control of House Flies. Unpublished compilation prepared by Technology Services Group, Inc. 33 p.
- 40883002 Jovanovich, A. (1988) Product Chemistry: Analysis and Certification of Ingredients: Application To Register Technical Muscalure (9-tricosene): A Biochemical Attractant for Control of House Flies. Unpublished compilation prepared by Technology Services Group, Inc. 38 p.
- 40883003 Jovanovich, A. (1988) Product Chemistry: Physical and Chemical Characteristics: Application To Register Technical Muscalure (9-tricosene): A Biochemical Attractant for Control of House Flies. Unpublished study prepared by Technology Services Group, Inc. 7 p.
- 41783601 Robbins, G. (1990) Tricosene--Acute Oral Toxicity in Rats: Lab Project Number: F2085. Unpublished study prepared by Cosmopolitan Safety Evaluation, Inc. 19 p.
- 41783602 Robbins, G. (1990) Tricosene--Acute Dermal Absorption: Lab Project Number: B2085. Unpublished study prepared by Cosmopolitan Safety Evaluation, Inc. 23 p.
- 41783603 Robbins, G. (1990) Tricosene--Primary Eye Irritation in Rabbits: Lab Project Number: D2085. Unpublished study prepared by Cosmopolitan Safety Evaluation, Inc. 18 p.
- 41783604 Robbins, G. (1990) Tricosene--Primary Dermal Irritation in Rabbits: Lab Project Number: E2085. Unpublished study prepared by Cosmopolitan Safety Evaluation, Inc. 13 p.
- 41783605 Robins, G. R. (1990) Tricosene - Guinea Pig Sensitization Study: Project Number F2085. Unpublished study prepared by Cosmopolitan Safety Evaluation, Inc.
- 41785401 Daamen, P. (1990) Acute Eye Irritation/Corrosion Study with Muscalure in the Rabbit: Lab Project Number: 2/91 M/RR-4. Unpublished study prepared by Technology Services Group, Inc. 29 p.

## BIBLIOGRAPHY

### MRID

### CITATION

- 
- 41785402 Daamen, P. (1990) Primary Skin Irritation/Corrosion Study with Muscalure in the Rabbit: Lab Project Number: 2/91 M/RR-5. Unpublished study prepared by Technology Services Group, Inc. 22 p.
- 41785403 Coenen, T. (1990) Acute Oral Toxicity of Muscalure in Bobwhite Quail: Lab Project Number: 2-91 M/RR-6. Unpublished study prepared by Technology Services Group, Inc. 29 p.
- 41785404 Coenen, T. (1990) 5-Day Dietary Toxicity Study of Muscalure in Bobwhite Quail: Lab Project Number: 2/91 M/RR-7. Unpublished study prepared by Technology Services Group, Inc. 45 p.
- 42052801 Deamen, P.A.M. (1991) Contact Hypersensitivity to Muscalure in Guinea Pigs: Lab Project Number: 051637. Unpublished study prepared by RCC NOTOX B.V. Hertogenbosch, The Netherlands.
- 42052802 Arts, I. (1991) Acute (4-Hour) Inhalation Toxicity Study of Muscalure in Rats: Lab Project Number: V 91.375. Unpublished study prepared by TNO Nutrition and Food Research. 28 p.
- 42077301 Riebeek, W. (1990) Acute Oral Toxicity of the Compound Muscalure in Rats: Lab Project Number: 2/91 M/RR-2. Unpublished study prepared by Technology Services Group, Inc. 19 p.
- 42077302 Riebeek, W. (1990) Acute Dermal Toxicity of the Compound Muscalure in Rats: Lab Project Number: 2-91 M/RR-3. Unpublished study prepared by Technology Services Group, Inc. 20 p.
- 42176701 Robbins, G. (1990) Acute Inhalation Study in Rats: [Tricosene]: Lab Project Number: C2085. Unpublished study prepared by CSE, Inc. 31 p.

## **APPENDIX D. List of Available Related Documents**



The following is a list of available documents related to (Z)-9-Tricosene. It's purpose is to provide a path to more detailed information if it is needed. These accompanying documents are part of the Administrative Record for (Z)-9-Tricosene and are included in the EPA's Office of Pesticide Programs Public Docket.

1. Health and Environmental Effects Science Chapters
2. Detailed Label Usage Information System (LUIS) Report
3. (Z)-9-Tricosene RED Fact Sheet
4. PR Notice 86-5 (included in this appendix)
5. PR Notice 91-2 (included in this appendix) pertains to the Label Ingredient Statement



**APPENDIX E. PR Notices 86-5 and 91-2**





***PR Notice 86-5***





# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

July 29, 1986

## PR NOTICE 86-5

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

### NOTICE TO PRODUCERS, FORMULATORS, DISTRIBUTORS AND REGISTRANTS

Attention: Persons responsible for Federal registration of pesticides.

Subject: Standard format for data submitted under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and certain provisions of the Federal Food, Drug, and Cosmetic Act (FFDCA).

#### I. Purpose

To require data to be submitted to the Environmental Protection Agency (EPA) in a standard format. This Notice also provides additional guidance about, and illustrations of, the required formats.

#### II. Applicability

This PR Notice applies to all data that are submitted to EPA to satisfy data requirements for granting or maintaining pesticide registrations, experimental use permits, tolerances, and related approvals under certain provisions of FIFRA and FFDCA. These data are defined in FIFRA §10(d)(1). This Notice does not apply to commercial, financial, or production information, which are, and must continue to be, submitted differently under separate cover.

#### III. Effective Date

This notice is effective on November 1, 1986. Data formatted according to this notice may be submitted prior to the effective date. As of the effective date, submitted data packages that do not conform to these requirements may be returned to the submitter for necessary revision.

#### IV. Background

On September 26, 1984, EPA published proposed regulations in the Federal Register (49 FR 37956) which include Requirements for Data Submission (40 CFR §158.32), and Procedures for Claims of Confidentiality of Data (40 CFR §158.33). These regulations specify the format for data submitted to EPA under Section 3 of FIFRA and Sections 408 and 409 of FFDCA, and procedures which must be followed to make and substantiate claims of confidentiality. No entitlements to data confidentiality are changed, either by the proposed regulation or by this notice.

OPP is making these requirements mandatory through this Notice to gain resource-saving benefits from their use before the entire proposed regulation becomes final. Adequate lead time is being provided for submitters to comply with the new requirements.

## V. Relationship of this Notice to Other OPP Policy and Guidance

While this Notice contains requirements for organizing and formatting submittals of supporting data, it does not address the substance of test reports themselves. "Data reporting" guidance is now under development in OPP, and will specify how the study objectives, protocol, observations, findings, and conclusions are organized and presented within the study report. The data reporting guidance will be compatible with submittal format requirements described in this Notice.

OPP has also promulgated a policy (PR Notice 86-4 dated April 15, 1986) that provides for early screening of certain applications for registration under FIFRA §3. The objective of the screen is to avoid the additional costs and prolonged delays associated with handling significantly incomplete application packages. As of the effective date of this Notice, the screen will include in its criteria for acceptance of application packages the data formatting requirements described herein.

OPP has also established a public docket which imposes deadlines for inserting into the docket documents submitted in connection with Special Reviews and Registration Standards (see 40 CFR §154.15 and §155.32). To meet these deadlines, OPP is requiring an additional copy of any data submitted to the docket. Please refer to Page 10 for more information about this requirement.

For several years, OPP has required that each application for registration or other action include a list of all applicable data requirements and an indication of how each is satisfied--the statement of the method of support for the application. Typically, many requirements are satisfied by reference to data previously submitted--either by the applicant or by another party. That requirement is not altered by this notice, which applies only to data submitted with an application.

## VI. Format Requirements

A more detailed discussion of these format requirements follows the index on the next page, and samples of some of the requirements are attached. Except for the language of the two alternative forms of the Statement of Data Confidentiality Claims (shown in Attachment 3) which cannot be altered, these samples are illustrative. As long as the required information is included and clearly identifiable, the form of the samples may be altered to reflect the submitter's preference.

### - INDEX-

	Text Example	
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A. Organization of the Submittal Package . . . . .	3	17
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C. 1 Special Considerations for Identifying Studies . . . . .	5	
D. Organization of each Study Volume . . . . .	6	17
D. 1 Study Title Page . . . . .	7	12
D. 2 Statement of Data Confidentiality Claims (based on FIFRA §10(d)(1)) . . . . .	8	13
D. 3 Confidential Attachment . . . . .	8	15
D. 4 Supplemental Statement of Data Confidentiality Claims (other than those based on FIFRA §10(d)(1)) . . . . .	8	14
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E.	Reference to Previously Submitted Data . . . . .	9
F.	Physical Format Requirements & Number of Copies . . . . .	9
G.	Special Requirements for Submitting Data to the Docket . . . . .	10

-----

A. Organization of Submittal Package

A "submittal package" consists of all studies submitted at the same time for review in support of a single regulatory action, along with a transmittal document and other related administrative material (e.g. the method of support statement, EPA Forms 8570-1, 8570-4, 8570-20, etc.) as appropriate.

Data submitters must organize each submittal package as described in this Notice. The transmittal and any other administrative material must be grouped together in the first physical volume. Each study included in the submittal package must then be bound separately.

Submitters sometimes provide additional materials that are intended to clarify, emphasize, or otherwise comment to help Product Managers and reviewers better understand the submittal.

- If such materials relate to one study, they should be included as an appendix to that study.
- If such materials relate to more than one study (as for example a summary of all studies in a discipline) or to the submittal in general, they must be included in the submittal package as a separate study (with title page and statement of confidentiality claims).

B. Transmittal Document

The first item in each submittal package must be a transmittal document. This document identifies the submitter or all joint submitters; the regulatory action in support of which the package is being submitted--i.e., a registration application, petition, experimental use permit (EUP), §3(c)(2)(B) data call-in, §6(a)(2) submittal, or a special review; the transmittal date; and a list of all individual studies included in the package in the order of their appearance, showing (usually by Guideline reference number) the data requirement(s) addressed by each one. The EPA-assigned number for the regulatory action (e.g. the registration, EUP, or tolerance petition number) should be included in the transmittal document as well, if it is known to the submitter. See Attachment 1 for an example of an acceptable transmittal document.

The list of included studies in the transmittal of a data submittal package supporting a registration application should be subdivided by discipline, reflecting the order in which data requirements appear in 40 CFR 158.

The list of included studies in the transmittal of a data submittal package supporting a petition for tolerance or an application for an EUP should be subdivided into sections A, B, C,.... of the petition or application, as defined in 40 CFR 180.7 and 158.125, (petitions) or Pesticide Assessment Guidelines, Subdivision I (EUPs) as appropriate.

When a submittal package supports a tolerance petition and an application for a registration or an EUP, list the petition studies first, then the balance of the studies. Within these two groups of studies follow the instructions above.

## C. Individual Studies

A study is the report of a single scientific investigation, including all supporting analyses required for logical completeness. A study should be identifiable and distinguishable by a conventional bibliographic citation including author, date, and title. Studies generally correspond in scope to a single Guideline requirement for supporting data, with some exceptions discussed in section C.1. Each study included in a submittal package must be bound as a separate entity. (See comments on binding studies on page 9.)

Each study must be consecutively paginated, beginning from the title page as page 1. The total number of pages in the complete study must be shown on the study title page. In addition (to ensure that inadvertently separated pages can be reassociated with the proper study during handling or review) use either of the following:

- Include the total number of pages in the complete study on each page (i.e., 1 of 250, 2 of 250, ...250 of 250).

- Include a company name or mark and study number on each page of the study, e.g., Company Name-1986-23. Never reuse a study number for marking the pages of subsequent studies.

When a single study is extremely long, binding it in multiple volumes is permissible so long as the entire study is paginated in a single series, and each volume is plainly identified by the study title and its position in the multi-volume sequence.

### C.1 Special Considerations for Identifying Studies

Some studies raise special problems in study identification, because they address Guidelines of broader than normal scope or for other reasons.

a. Safety Studies. Several Guidelines require testing for safety in more than one species. In these cases each species tested should be reported as a separate study, and bound separately.

Extensive supplemental reports of pathology reviews, feed analyses, historical control data, and the like are often associated with safety studies. Whenever possible these should be submitted with primary reports of the study, and bound with the primary study as appendices. When such supplemental reports are submitted independently of the primary report, take care to fully identify the primary report to which they pertain.

Batteries of acute toxicity tests, performed on the same end use product and covered by a single title page, may be bound together and reported as a single study.

b. Product Chemistry Studies. All product chemistry data within a submittal package submitted in support of an end-use product produced from registered manufacturing-use products should be bound as a single study under a single title page.

Product chemistry data submitted in support of a technical product, other manufacturing-use product, an experimental use permit, an import tolerance petition, or an end-use product produced from unregistered source ingredients, should be bound as a single study for each Guideline series (61, 62, and 63) for conventional pesticides, or for the equivalent subject range for biorational pesticides. The first of the three studies in a complete product chemistry submittal for a biochemical pesticide would cover Guidelines 151-10, 151-11, and 151-12; the second would cover Guidelines 151-13, 151-15, and 151-16; the third would cover Guideline 151-17. The first study for a microbial pesticide would cover Guidelines 151-20, 151-21, and 151-22; the second would cover Guidelines 151-23 and

151-25; the third would cover Guideline 151-26.

Note particularly that product chemistry studies are likely to contain Confidential Business Information as defined in FIFRA §10(d)(1)(A), (B), or (C), and if so must be handled as described in section D.3. of this notice.

c. Residue Chemistry Studies. Guidelines 171-4, 153-3, and 153-4 are extremely broad in scope; studies addressing residue chemistry requirements must thus be defined at a level below that of the Guideline code. The general principle, however, of limiting a study to the report of a single investigation still applies fully. Data should be treated as a single study and bound separately for each analytical method, each report of the nature of the residue in a single crop or animal species, and for each report of the magnitude of residues resulting from treatment of a single crop or from processing a single crop. When more than one commodity is derived from a single crop (such as beet tops and beet roots) residue data on all such commodities should be reported as a single study. When multiple field trials are associated with a single crop, all such trials should be reported as a single study.

#### D. Organization of Each Study Volume

Each complete study must include all applicable elements in the list below, in the order indicated. (Also see Page 17.) Several of these elements are further explained in the following paragraphs. Entries in the column headed "example" cite the page number of this notice where the element is illustrated.

<u>Element</u>	<u>When Required</u>	<u>Example</u>
Study Title Page	Always	Page 12
Statement of Data Confidentiality Claims	One of the two alternative forms of this statement is always required	Page 13
Certification of Good Laboratory Practice	If study reports laboratory work subject to GLP requirements	Page 16
Flagging statements	For certain toxicology studies (When flagging requirements are finalized.)	
Body of Study	Always - with an English language translation if required.	
Study Appendices	At submitter's option	
Cover Sheet to Confidential Attachment	If CBI is claimed under FIFRA §10(d)(1)(A), (B), or (C)	
CBI Attachment	If CBI is claimed under FIFRA §10(d)(1)(A), (B), or (C)	Page 15
Supplemental Statement of Data Confidentiality Claims	Only if confidentiality is claimed on a basis other than FIFRA §10(d)(1)(A), (B), or (C)	Page 14

## D.1. Title Page

A title page is always required for each submitted study, published or unpublished. The title page must always be freely releasable to requestors; **DO NOT INCLUDE CBI ON THE TITLE PAGE**. An example of an acceptable title page is on page 12 of this notice. The following information must appear on the title page:

- a. **Study title.** The study title should be as descriptive as possible. It must clearly identify the substance(s) tested and correspond to the name of the data requirement as it appears in the Guidelines.
- b. **Data requirement addressed.** Include on the title page the Guideline number(s) of the specific requirement(s) addressed by the study.
- c. **Author(s).** Cite only individuals with primary intellectual responsibility for the content of the study. Identify them plainly as authors, to distinguish them from the performing laboratory, study sponsor, or other names that may also appear on the title page.
- d. **Study Date.** The title page must include a single date for the study. If parts of the study were performed at different times, use only the date of the latest element in the study.
- e. **Performing Laboratory Identification.** If the study reports work done by one or more laboratories, include on the title page the name and address of the performing laboratory or laboratories, and the laboratory's internal project number(s) for the work. Clearly distinguish the laboratory's project identifier from any other reference numbers provided by the study sponsor or submitter.
- f. **Supplemental Submissions.** If the study is a commentary on or supplement to another previously submitted study, or if it responds to EPA questions raised with respect to an earlier study, include on the title page elements a. through d. for the previously submitted study, along with the EPA Master Record Identifier (MRID) or Accession number of the earlier study if you know these numbers. (Supplements submitted in the same submittal package as the primary study should be appended to and bound with the primary study. Do not include supplements to more than one study under a single title page).
- g. **Facts of Publication.** If the study is a reprint of a published document, identify on the title page all relevant facts of publication, such as the journal title, volume, issue, inclusive page numbers, and publication date.

## D.2. Statements of Data Confidentiality Claims Under FIFRA §10(d)(1).

Each submitted study must be accompanied by one of the two alternative forms of the statement of Data Confidentiality Claims specified in the proposed regulation in §158.33 (b) and (c) (See Attachment 3). These statements apply only to claims of data confidentiality based on FIFRA §10(d)(1)(A), (B), or (C). Use the appropriate alternative form of the statement either to assert a claim of §10(d)(1) data confidentiality (§158.33(b)) or to waive such a claim (§158.33(c)). In either case, the statement must be signed and dated, and must include the typed name and title of the official who signs it. Do not make CBI claims with respect to analytical methods associated with petitions for tolerances or emergency exemptions (see NOTE Pg 13).



### D.3. Confidential Attachment

If the claim is made that a study includes confidential business information as defined by the criteria of FIFRA §10(D)(1)(A), (B), or (C) (as described in D.2. above) all such information must be excised from the body of the study and confined to a separate study-specific Confidential Attachment. Each passage of CBI so isolated must be identified by a reference number cited within the body of the study at the point from which the passage was excised (See Attachment 5).

The Confidential Attachment to a study must be identified by a cover sheet fully identifying the parent study, and must be clearly marked "Confidential Attachment." An appropriately annotated photocopy of the parent study title page may be used as this cover sheet. Paginate the Confidential Attachment separately from the body of the study, beginning with page 1 of X on the title page. Each passage confined to the Confidential Attachment must be associated with a specific cross reference to the page(s) in the main body of the study on which it is cited, and with a reference to the applicable passage(s) of FIFRA §10(d)(1) on which the confidentiality claim is based.

### D.4. Supplemental Statement of Data Confidentiality Claims (See Attachment 4)

If you wish to make a claim of confidentiality for any portion of a submitted study other than described by FIFRA §10(d) (1)(A), (B), or (C), the following provisions apply:

- The specific information to which the claim applies must be clearly marked in the body of the study as subject to a claim of confidentiality.
- A Supplemental Statement of Data Confidentiality Claims must be submitted, identifying each passage claimed confidential and describing in detail the basis for the claim. A list of the points to address in such a statement is included in Attachment 4 on Pg 14.
- The Supplemental Statement of Data Confidentiality Claims must be signed and dated and must include the typed name and title of the official who signed it.

### D.5. Good Laboratory Practice Compliance Statement

This statement is required if the study contains laboratory work subject to GLP requirements specified in 40 CFR 160. Samples of these statements are shown in Attachment 6.

### E. Reference to Previously Submitted Data

**DO NOT RESUBMIT A STUDY THAT HAS PREVIOUSLY BEEN SUBMITTED FOR ANOTHER PURPOSE** unless EPA specifically requests it. A copy of the title page plus the MRID number (if known) is sufficient to allow us to retrieve the study immediately for review. This prevents duplicate entries in the Agency files, and saves you the cost of sending more copies of the study. References to previously submitted studies should not be included in the transmittal document, but should be incorporated into the statement of the method of support for the application.

### F. Physical Format Requirements

All elements in the data submittal package must be on uniform 8 1/2 by 11 inch white paper, printed on one side only in black ink, with high contrast and good resolution. Bindings for individual studies must be secure, but easily removable to permit disassembly for

microfilming. Check with EPA for special instructions before submitting data in any medium other than paper, such as film or magnetic media.

Please be particularly attentive to the following points:

- Do not include frayed or torn pages.
- Do not include carbon copies, or copies in other than black ink.
- Make sure that photocopies are clear, complete, and fully readable.
- Do not include oversize computer printouts or fold-out pages.
- Do not bind any documents with glue or binding tapes.
- Make sure that all pages of each study, including any attachments or appendices, are present and in correct sequence.

Number of Copies Required - All submittal packages except those associated with a Registration Standard or Special Review (See Part G below) must be provided in three complete, identical copies. (The proposed regulations specified two copies; three are now being required to expedite and reduce the cost of processing data into the OPP Pesticide Document Management System and getting it into review.)

#### G. Special Requirements for Submitting Data to the Docket

Data submittal packages associated with a Registration Standard or Special Review must be provided in four copies, from one of which all material claimed as CBI has been excised. This fourth copy will become part of the public docket for the RS or SR case. If no claims of confidentiality are made for the study, the fourth copy should be identical to the other three. When portions of a study submitted in support of an RS or SR are claimed as CBI, the first three copies will include the CBI material as provided in section D of this notice. The following special preparation is required for the fourth copy.

- Remove the "Supplemental Statement of Data Confidentiality Claims".
- Remove the "Confidential Attachment".
- Excise from the body of the study any information you claim as confidential, even if it does not fall within the scope of FIFRA §10(d)(1)(A), (B), or (C). Do not close up or paraphrase text remaining after this excision.
- Mark the fourth copy plainly on both its cover and its title page with the phrase "Public Docket Material - contains no information claimed as confidential".

V. For Further Information

For further information contact John Carley, Chief, Information Services Branch, Program Management and Support Division, (703) 305-5240.

/S/

James W. Akerman  
Acting Director,  
Registration Division

Attachment 1.	Sample Transmittal Document
Attachment 2.	Sample Title Page for a Newly Submitted Study
Attachment 3.	Statements of Data Confidentiality Claims
Attachment 4.	Supplemental Statement of Data Confidentiality Claims
Attachment 5.	Samples of Confidential Attachments
Attachment 6.	Sample Good Laboratory Practice Statements
Attachment 7.	Format Diagrams for Submittal Packages and Studies

ATTACHMENT 1

ELEMENTS TO BE INCLUDED IN THE TRANSMITTAL DOCUMENT\*

1. Name and address of submitter (or all joint submitters\*\*)

+Smith Chemical Corporation  
1234 West Smith Street  
Cincinnati, OH 98765

-and-

Jones Chemical Company  
5678 Wilson Blvd  
Covington, KY 56789

+Smith Chemical Corp will act as sole agent for all submitters.

2. Regulatory action in support of which this package is submitted

Use the EPA identification number (e.g. 359-EUP-67) if you know it. Otherwise describe the type of request (e.g. experimental use permit, data call-in - of xx-xx-xx date).

3. Transmittal date

4. List of submitted studies

Vol 1. Administrative materials - forms, previous correspondence with Project Managers, and so forth.

Vol 2. Title of first study in the submittal (Guideline No.)

Vol n Title of nth study in the submittal (Guideline No.)

\* Applicants commonly provide this information in a transmittal letter. This remains an acceptable practice so long as all four elements are included.

\* Indicate which of the joint submitters is empowered to act on behalf of all joint submitters in any matter concerning data compensation or subsequent use or release of the data.

Company Official: \_\_\_\_\_  
Signature Name

Company Name \_\_\_\_\_

Company Contact: \_\_\_\_\_  
Name Phone

ATTACHMENT 2

SAMPLE STUDY TITLE PAGE FOR A NEWLY SUBMITTED STUDY

Study Title

(Chemical name) - Magnitude of Residue on Corn

Data Requirement

Guideline 171-4

Author

John C. Davis

Study Completed On

January 5, 1979

Performing Laboratory

ABC Agricultural Laboratories  
940 West Bay Drive  
Wilmington, CA 39897

Laboratory Project ID

ABC 47-79

Page 1 of X  
(X is the total number of pages in the study)

ATTACHMENT 3

STATEMENTS OF DATA CONFIDENTIALITY CLAIMS

1. No claim of confidentiality under FIFRA §10(d)(1)(A),(B), or (C).

STATEMENT OF NO DATA CONFIDENTIALITY CLAIMS

No claim of confidentiality is made for any information contained in this study on the basis of its falling within the scope of FIFRA 6§10(d)(1)(A), (B), or (C).

Company \_\_\_\_\_

Company Agent: \_\_\_\_\_ Typed Name \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Title \_\_\_\_\_ Signature \_\_\_\_\_

2. Claim of confidentiality under FIFRA §10(d)(1)(A), (B), or (C).

Information claimed confidential on the basis of its falling within the scope of FIFRA §10(d)(1)(A), (B), or (C) has been removed to a confidential appendix, and is cited by cross-reference number in the body of the study.

Company: \_\_\_\_\_

Company Agent: \_\_\_\_\_ Typed Name \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Title \_\_\_\_\_ Signature \_\_\_\_\_

STATEMENT OF DATA CONFIDENTIALITY CLAIMS

**NOTE: Applicants for permanent or temporary tolerances should note that it is OPP policy that no permanent tolerance, temporary tolerance, or request for an emergency exemption incorporating an analytical method, can be approved unless the applicant waives all claims of confidentiality for the analytical method. These analytical methods are published in the FDA Pesticide Analytical Methods Manual, and therefore cannot be claimed as confidential. OPP implements this policy by returning submitted analytical methods, for which confidentiality claims have been made, to the submitter, to obtain the confidentiality waiver before they can be processed.**





## ATTACHMENT 4

### SUPPLEMENTAL STATEMENT OF DATA CONFIDENTIALITY CLAIMS

For any portion of a submitted study that is not described by FIFRA §10(d)(1)(A), (B), or (C), but for which you claim confidential treatment on another basis, the following information must be included within a Supplemental Statement of Data Confidentiality Claims:

- Identify specifically by page and line number(s) each portion of the study for which you claim confidentiality.
- Cite the reasons why the cited passage qualifies for confidential treatment.
- Indicate the length of time--until a specific date or event, or permanently--for which the information should be treated as confidential.
- Identify the measures taken to guard against undesired disclosure of this information.
- Describe the extent to which the information has been disclosed, and what precautions have been taken in connection with those disclosures.
- Enclose copies of any pertinent determinations of confidentiality made by EPA, other Federal agencies, of courts concerning this information.
- If you assert that disclosure of this information would be likely to result in substantial harmful effects to you, describe those harmful effects and explain why they should be viewed as substantial.
- If you assert that the information in voluntarily submitted, indicate whether you believe disclosure of this information might tend to lessen the availability to EPA of similar information in the future, and if so, how.

ATTACHMENT 5

EXAMPLES OF SEVERAL CONFIDENTIAL ATTACHMENTS

Example 1. (Confidential word or phrase that has been deleted from the study)

<u>CROSS REFERENCE NUMBER 1</u>		This cross reference number is used in the study in place of the following paragraph(s) at the indicated volume and page references.	
DELETED WORDS OR PHRASE:		Ethylene Glycol	
<u>PAGE REFERENCE</u>	<u>LINES</u>	<u>REASON FOR THE DELETION</u>	<u>FIFRA</u>
6	14	Identity of Inert Ingredient	§10(d)(C)
28	25	"	"
100	19	"	"

Example 2. (Confidential paragraph(s) that have been deleted from the study)

<u>CROSS REFERENCE NUMBER 5</u>		This cross reference number is used in the study in place of the following paragraph(s) at the indicated volume and page references.	
DELETED PARAGRAPH(S):			
(		)	
(		Reproduce the deleted paragraph(s) here	
(		)	
<u>PAGE</u>	<u>LINES</u>	<u>REASON FOR THE DELETION</u>	<u>FIFRA REFERENCE</u>
20.	2-17	Description of the quality control process	§10(d)(1)(C)

Example 3. (Confidential pages that have been deleted from the study)

<u>CROSS REFERENCE NUMBER 7</u>		This cross reference number is used in the study in place of the following paragraph(s) at the indicated volume and page references.	
DELETED PAGES(S): are attached immediately behind this page			
<u>PAGES</u>	<u>REASON FOR THE DELETION</u>	<u>FIFRA REFERENCE</u>	
35-41.	Description of product manufacturing process	§10(d)(1)(A)	



ATTACHMENT 6.

SAMPLE GOOD LABORATORY PRACTICE STATEMENTS

Example 1.

This study meets the requirements for 40 CFR Part 160

Submitter \_\_\_\_\_

Sponsor \_\_\_\_\_

Example 2.

This study does not meet the requirements of 40 CFR Part 160, and differs in the following ways:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Submitter \_\_\_\_\_

Sponsor \_\_\_\_\_

Study Director \_\_\_\_\_

Example 3.

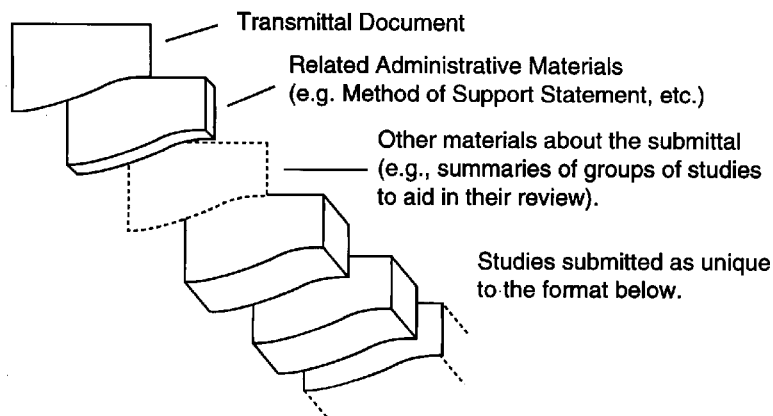
The submitter of this study was neither the sponsor of this study nor conducted it, and does not know whether it has been conducted in accordance with 40 CFR Part 160.

Submitter \_\_\_\_\_

## ATTACHMENT 7.

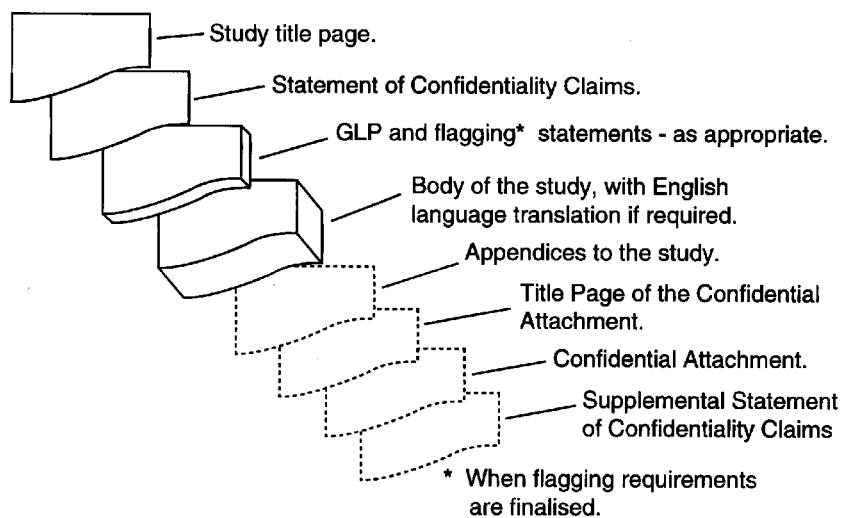
### FORMAT OF THE SUBMITTAL PACKAGE

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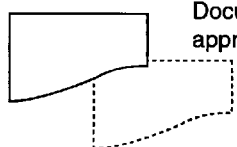


### FORMAT OF SUBMITTED STUDIES

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#### LEGEND



Documents which must be submitted as  
appropriate to meet established requirements.

Documents submitted at submitter's option.



***PR Notice 91-2***







# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

## PR NOTICE 91-2

### NOTICE TO MANUFACTURERS, PRODUCERS, FORMULATORS, AND REGISTRANTS OF PESTICIDES

ATTENTION: Persons Responsible for Federal Registration of Pesticide Products.

SUBJECT: Accuracy of Stated Percentages for Ingredients  
Statement

#### I. PURPOSE:

The purpose of this notice is to clarify the Office of Pesticide Program's policy with respect to the statement of percentages in a pesticide's label's ingredient statement. Specifically, the amount (percent by weight) of ingredient(s) specified in the ingredient statement on the label must be stated as the nominal concentration of such ingredient(s), as that term is defined in 40 CFR 158.153(i). Accordingly, the Agency has established the nominal concentration as the only acceptable label claim for the amount of active ingredient in the product.

#### II. BACKGROUND

For some time the Agency has accepted two different methods of identifying on the label what percentage is claimed for the ingredient(s) contained in a pesticide. Some applicants claimed a percentage which represented a level between the upper and the lower certified limits. This was referred to as the nominal concentration. Other applicants claimed the lower limit as the percentage of the ingredient(s) that would be expected to be present in their product at the end of the product's shelf-life. Unfortunately, this led to a great deal of confusion among the regulated industry, the regulators, and the consumers as to exactly how much of a given ingredient was in a given product. The Agency has established the nominal concentration as the only acceptable label claim for the amount of active ingredient in the product.

Current regulations require that the percentage listed in the active ingredient statement be as precise as possible reflecting good manufacturing practices 40 CFR 156.10(g)(5). The certified limits required for each active ingredient are intended to encompass any such "good manufacturing practice" variations 40 CFR 158.175(c)(3).

The upper and lower certified limits, which must be proposed in connection with a product's registration, represent the amounts of an ingredient that may legally be present 40 CFR 158.175. The lower certified limit is used as the enforceable lower limit for the product composition according to FIFRA section 12(a)(1)(C), while the nominal concentration appearing on the label would be the routinely achieved concentration used for calculation of dosages and dilutions.

The nominal concentration would in fact state the greatest degree of accuracy that is warranted with respect to actual product composition because the nominal concentration would be the amount of active ingredient typically found in the product.

It is important for registrants to note that certified limits for active ingredients are not considered to be trade secret information under FIFRA section 10(b). In this respect the

certified limits will be routinely provided by EPA to States for enforcement purposes, since the nominal concentration appearing on the label may not represent the enforceable composition for purposes of section 12(a)(1)(C).

### III. REQUIREMENTS

As described below under Unit V. " **COMPLIANCE SCHEDULE**," all currently registered products as well as all applications for new registration must comply with this Notice by specifying the nominal concentration expressed as a percentage by weight as the label claim in the ingredient(s) statement and equivalence statements if applicable (e.g., elemental arsenic, metallic zinc, salt of an acid). In addition, the requirement for performing sample analyses of five or more representative samples must be fulfilled. Copies of the raw analytical data must be submitted with the nominal ingredient label claim. Further information about the analysis requirement may be found in the 40 CFR 158.170. All products are required to provide certified limits for each active, inert ingredient, impurities of toxicological significance(i.e., upper limit(s) only) and on a case by case basis as specified by EPA. These limits are to be **set based on representative sampling** and chemical analysis(i.e., quality control) of the product.

The format of the ingredient statement must conform to 40 CFR 156-Labeling Requirements For Pesticides and Devices.

**After July 1, 1997, all pesticide ingredient Statements must be changed to nominal concentration.**

### IV. PRODUCTS THAT REQUIRE EFFICACY DATA

All pesticides are required to be efficacious. Therefore, the certified lower limits may not be lower than the minimum level to achieve efficacy. This is extremely important for products which are intended to control pests which threaten the public health, e.g., certain antimicrobial and rodenticide products. Refer to 40 CFR 153.640.

In those cases where efficacy limits have been established, the Agency will not accept certified lower limits which are below that level for the shelf life of the product.

### V. COMPLIANCE SCHEDULE

As described earlier, the purpose of this Notice is to make the registration process more uniform and more manageable for both the agency and the regulated community. It is the Agency's intention to implement the requirements of this notice as smoothly as possible so as not to disrupt or delay the Agency's high priority programs, i.e., reregistration, new chemical, or fast track (FIFRA section 3(c)(3)(B)). Therefore, applicants/registrants are expected to comply with the requirements of this Notice as follows:

- (1) Beginning July 1, 1991, all new product registrations submitted to the Agency are to comply with the requirements of this Notice.
- (2) Registrants having products subject to reregistration under FIFRA section 4(a) are to comply with the requirements of this Notice when specific products are called in by the Agency under Phase V of the Reregistration Program.

- (3) All other products/applications that are not subject to (1) and (2) above will have until July 1, 1997, to comply with this Notice. Such applications should note "Conversion to Nominal Concentrations on the application form. These types Or amendments will not be handled as "Fast Track" applications but will be handled as routine requests.

#### VI. FOR FURTHER INFORMATION

Contact Tyrone Aiken for information or questions concerning this notice on (703) 308-7031.

/s/  
Anne E. Lindsay, Director  
Registration Division (H-7505C)



## **APPENDIX F. Generic Data Call-In**





## **UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**WASHINGTON, D.C. 20460**

**OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES**

### **GENERIC DATA CALL-IN NOTICE**

#### **CERTIFIED MAIL**

Dear Sir or Madam:

This Notice requires you and other registrants of pesticide products containing the active ingredient(s) identified in Attachment 1 of this Notice, the Data Call-In Chemical Status Sheet, to submit certain data as noted herein to the U.S. Environmental Protection Agency (EPA, the Agency). These data are necessary to maintain the continued registration of your product(s) containing this active ingredient(s). Within 90 days after you receive this Notice you must respond as set forth in Section III below. Your response must state:

1. how you will comply with the requirements set forth in this Notice and its Attachments 1 through 4; or,
2. why you believe you are exempt from the requirements listed in this Notice and in Attachment 3, Requirements Status and Registrant's Response Form, (see section III-B); or,
3. why you believe EPA should not require your submission of data in the manner specified by this Notice (see section III-D).

If you do not respond to this Notice, or if you do not satisfy EPA that you will comply with its requirements or should be exempt or excused from doing so, then the registration of your product(s) subject to this Notice will be subject to suspension. We have provided a list of all of your products subject to this Notice in Attachment 2, Data Call-In Response Form, as well as a list of all registrants who were sent this Notice (Attachment 4).

The authority for this Notice is section 3(c)(2)(B) of the Federal Insecticide, Fungicide and Rodenticide Act as amended (FIFRA), 7 U.S.C. section 136a(c)(2)(B). Collection of this information is authorized under the Paperwork Reduction Act by OMB Approval No. 2070-0107 (expiration date 12-31-92).

This Notice is divided into six sections and five Attachments. The Notice itself contains information and instructions applicable to all Data Call-In Notices. The Attachments contain specific chemical information and instructions. The six sections of the Notice are:

- Section I - Why You Are Receiving This Notice
- Section II - Data Required By This Notice
- Section III - Compliance With Requirements Of This Notice
- Section IV - Consequences Of Failure To Comply With This Notice
- Section V - Registrants' Obligation To Report Possible Unreasonable Adverse Effects
- Section VI - Inquiries And Responses To This Notice

The Attachments to this Notice are:

- Attachment 1 - Data Call-In Chemical Status Sheet
- Attachment 2 - Data Call-In Response Form
- Attachment 3 - Requirements Status And Registrant's Response Form
- Attachment 4 - List Of All Registrants Sent This Data Call-In Notice

## SECTION I. WHY YOU ARE RECEIVING THIS NOTICE

The Agency has reviewed existing data for this active ingredient(s) and reevaluated the data needed to support continued registration of the subject active ingredient(s). This reevaluation identified additional data necessary to assess the health and safety of the continued use of products containing this active ingredient(s). You have been sent this Notice because you have product(s) containing the subject active ingredient(s).

## SECTION II. DATA REQUIRED BY THIS NOTICE

### A. DATA REQUIRED

The data required by this Notice are specified in Attachment 3, Requirements Status and Registrant's Response Form. Depending on the results of the studies required in this Notice, additional testing may be required.

### B. SCHEDULE FOR SUBMISSION OF DATA

You are required to submit the data or otherwise satisfy the data requirements specified in Attachment 3, Requirements Status and Registrant's Response Form, within the time frames provided.

### C. TESTING PROTOCOL

All studies required under this Notice must be conducted in accordance with test standards outlined in the Pesticide Assessment Guidelines for those studies for which guidelines have been established.

These EPA Guidelines are available from the National Technical Information Service (NTIS), Attn: Order Desk, 5285 Port Royal Road, Springfield, Va 22161 (tel: 703-487-4650).

Protocols approved by the Organization for Economic Cooperation and Development (OECD) are also acceptable if the OECD-recommended test standards conform to those specified in the Pesticide Data Requirements regulation (40 CFR § 158.70). When using the OECD protocols, they should be modified as appropriate so that the data generated by the study will satisfy the requirements of 40 CFR § 158. Normally,



the Agency will not extend deadlines for complying with data requirements when the studies were not conducted in accordance with acceptable standards. The OECD protocols are available from OECD, 1750 Pennsylvania Avenue N.W., Washington, D.C. 20006.

All new studies and proposed protocols submitted in response to this Data Call-In Notice must be in accordance with Good Laboratory Practices [40 CFR Part 160.3(a)(6)].

D. REGISTRANTS RECEIVING PREVIOUS SECTION 3(c)(2)(B) NOTICES ISSUED BY THE AGENCY

Unless otherwise noted herein, this Data Call-In does not in any way supersede or change the requirements of any previous Data Call-In(s), or any other agreements entered into with the Agency pertaining to such prior Notice. Registrants must comply with the requirements of all Notices to avoid issuance of a Notice of Intent to Suspend their affected products.

SECTION III. COMPLIANCE WITH REQUIREMENTS OF THIS NOTICE

A. SCHEDULE FOR RESPONDING TO THE AGENCY

The appropriate responses initially required by this Notice must be submitted to the Agency within 90 days after your receipt of this Notice. Failure to adequately respond to this Notice within 90 days of your receipt will be a basis for issuing a Notice of Intent to Suspend (NOIS) affecting your products. This and other bases for issuance of NOIS due to failure to comply with this Notice are presented in Section IV-A and IV-B.

B. OPTIONS FOR RESPONDING TO THE AGENCY

The options for responding to this Notice are: 1) voluntary cancellation, 2) delete use(s), 3) claim generic data exemption, 4) agree to satisfy the data requirements imposed by this Notice or (5) request a data waiver(s).

A discussion of how to respond if you chose the Voluntary Cancellation option, the Delete Use(s) option or the Generic Data Exemption option is presented below. A discussion of the various options available for satisfying the data requirements of this Notice is contained in Section III-C. A discussion of options relating to requests for data waivers is contained in Section III-D.

There are two forms that accompany this Notice of which, depending upon your response, one or both must be used in your response to the Agency. These forms are the Data-Call-In Response Form (Attachment 2) and the Requirements Status and Registrant's Response Form (Attachment 3). The Data Call-In Response Form must be submitted as part of every response to this Notice. Please note that the company's authorized representative is required to sign the first page of the Data Call-In Response Form and Requirements Status and Registrant's Response Form (if this form is required) and initial any subsequent pages. The forms contain separate detailed instructions on the response options. Do not alter the printed material. If you have questions or need assistance in preparing your response, call or write the contact person identified in Attachment 1.

1. Voluntary Cancellation - You may avoid the requirements of this Notice by requesting voluntary cancellation of your product(s) containing the active ingredient(s) that is the subject of this Notice. If you wish to voluntarily cancel your product, you must submit a completed Data Call-In Response Form, indicating your election of this option. Voluntary cancellation is item number 5

on the Data Call-In Response Form. If you choose this option, this is the only form that you are required to complete.

If you choose to voluntarily cancel your product, further sale and distribution of your product after the effective date of cancellation must be in accordance with the Existing Stocks provisions of this Notice which are contained in Section IV-C.

2. Use Deletion - You may avoid the requirements of this Notice by eliminating the uses of your product to which the requirements apply. If you wish to amend your registration to delete uses, you must submit the Requirements Status and Registrant's Response Form, a completed application for amendment, a copy of your proposed amended labeling, and all other information required for processing the application. Use deletion is option number 7 on the Requirements Status and Registrant's Response Form. You must also complete a Data Call-In Response Form by signing the certification, item number 8. Application forms for amending registrations may be obtained from the Registration Support and Emergency Response Branch, Registration Division, (703) 308-8358.

If you choose to delete the use(s) subject to this Notice or uses subject to specific data requirements, further sale, distribution, or use of your product after one year from the due date of your 90 day response, must bear an amended label.

3. Generic Data Exemption - Under section 3(c)(2)(D) of FIFRA, an applicant for registration of a product is exempt from the requirement to submit or cite generic data concerning an active ingredient(s) if the active ingredient(s) in the product is derived exclusively from purchased, registered pesticide products containing the active ingredient(s). EPA has concluded, as an exercise of its discretion, that it normally will not suspend the registration of a product which would qualify and continue to qualify for the generic data exemption in section 3(c)(2)(D) of FIFRA. To qualify, all of the following requirements must be met:

- a. The active ingredient(s) in your registered product must be present solely because of incorporation of another registered product which contains the subject active ingredient(s) and is purchased from a source not connected with you; and,
- b. every registrant who is the ultimate source of the active ingredient(s) in your product subject to this DCI must be in compliance with the requirements of this Notice and must remain in compliance; and
- c. you must have provided to EPA an accurate and current "Confidential Statement of Formula" for each of your products to which this Notice applies.

To apply for the Generic Data Exemption you must submit a completed Data Call-In Response Form, Attachment 2 and all supporting documentation. The Generic Data Exemption is item number 6a on the Data Call-In Response Form. If you claim a generic data exemption you are not required to complete the Requirements Status and Registrant's Response Form. Generic Data Exemption cannot be selected as an option for product specific data.

If you are granted a Generic Data Exemption, you rely on the efforts of other persons to provide the Agency with the required data. If the registrant(s) who have committed to generate and submit the required data fail to take appropriate steps to meet the requirements or are no longer in compliance with this

Data Call-In Notice, the Agency will consider that both they and you are not in compliance and will normally initiate proceedings to suspend the registrations of both your and their product(s), unless you commit to submit and do submit the required data within the specified time. In such cases the Agency generally will not grant a time extension for submitting the data.

4. Satisfying the Data Requirements of this Notice - There are various options available to satisfy the data requirements of this Notice. These options are discussed in Section III-C of this Notice and comprise options 1 through 6 on the Requirements Status and Registrant's Response Form and option 6b and 7 on the Data Call-In Response Form. If you choose option 6b or 7, you must submit both forms as well as any other information/data pertaining to the option chosen to address the data requirement.

5. Request for Data Waivers. Data waivers are discussed in Section III-D of this Notice and are covered by options 8 and 9 on the Requirements Status and Registrant's Response Form. If you choose one of these options, you must submit both forms as well as any other information/data pertaining to the option chosen to address the data requirement.

### C. SATISFYING THE DATA REQUIREMENTS OF THIS NOTICE

If you acknowledge on the Data Call-In Response Form that you agree to satisfy the data requirements (i.e. you select option 6b and/or 7), then you must select one of the six options on the Requirements Status and Registrant's Response Form related to data production for each data requirement. Your option selection should be entered under item number 9, "Registrant Response." The six options related to data production are the first six options discussed under item 9 in the instructions for completing the Requirements Status and Registrant's Response Form. These six options are listed immediately below with information in parentheses to guide registrants to additional instructions provided in this Section. The options are:

1. I will generate and submit data within the specified time frame (Developing Data),
2. I have entered into an agreement with one or more registrants to develop data jointly (Cost Sharing),
3. I have made offers to cost-share (Offers to Cost Share),
4. I am submitting an existing study that has not been submitted previously to the Agency by anyone (Submitting an Existing Study),
5. I am submitting or citing data to upgrade a study classified by EPA as partially acceptable and upgradeable (Upgrading a Study),
6. I am citing an existing study that EPA has classified as acceptable or an existing study that has been submitted but not reviewed by the Agency (Citing an Existing Study).

#### Option 1, Developing Data --

If you choose to develop the required data it must be in conformance with Agency deadlines and with other Agency requirements as referenced herein and in the attachments. All data generated and submitted must comply with the Good Laboratory Practice (GLP) rule (40 CFR Part 160), be conducted according to the

Pesticide Assessment Guidelines (PAG), and be in conformance with the requirements of PR Notice 86-5. In addition, certain studies require Agency approval of test protocols in advance of study initiation. Those studies for which a protocol must be submitted have been identified in the Requirements Status and Registrant's Response Form and/or footnotes to the form. If you wish to use a protocol which differs from the options discussed in Section II-C of this Notice, you must submit a detailed description of the proposed protocol and your reason for wishing to use it. The Agency may choose to reject a protocol not specified in Section II-C. If the Agency rejects your protocol you will be notified in writing, however, you should be aware that rejection of a proposed protocol will not be a basis for extending the deadline for submission of data.

A progress report must be submitted for each study within 90 days from the date you are required to commit to generate or undertake some other means to address that study requirement, such as making an offer to cost-share or agreeing to share in the cost of developing that study. A 90-day progress report must be submitted for all studies. This 90-day progress report must include the date the study was or will be initiated and, for studies to be started within 12 months of commitment, the name and address of the laboratory(ies) or individuals who are or will be conducting the study.

In addition, if the time frame for submission of a final report is more than 1 year, interim reports must be submitted at 12 month intervals from the date you are required to commit to generate or otherwise address the requirement for the study. In addition to the other information specified in the preceding paragraph, at a minimum, a brief description of current activity on and the status of the study must be included as well as a full description of any problems encountered since the last progress report.

The time frames in the Requirements Status and Registrant's Response Form are the time frames that the Agency is allowing for the submission of completed study reports or protocols. The noted deadlines run from the date of the receipt of this Notice by the registrant. If the data are not submitted by the deadline, each registrant is subject to receipt of a Notice of Intent to Suspend the affected registration(s).

If you cannot submit the data/reports to the Agency in the time required by this Notice and intend to seek additional time to meet the requirement(s), you must submit a request to the Agency which includes: (1) a detailed description of the expected difficulty and (2) a proposed schedule including alternative dates for meeting such requirements on a step-by-step basis. You must explain any technical or laboratory difficulties and provide documentation from the laboratory performing the testing. While EPA is considering your request, the original deadline remains. The Agency will respond to your request in writing. If EPA does not grant your request, the original deadline remains. Normally, extensions can be requested only in cases of extraordinary testing problems beyond the expectation or control of the registrant. Extensions will not be given in submitting the 90-day responses. Extensions will not be considered if the request for extension is not made in a timely fashion; in no event shall an extension request be considered if it is submitted at or after the lapse of the subject deadline.

#### Option 2, Agreement to Share in Cost to Develop Data --

If you choose to enter into an agreement to share in the cost of producing the required data but will not be submitting the data yourself, you must provide the name of the registrant who will be submitting the data. You must also provide

EPA with documentary evidence that an agreement has been formed. Such evidence may be your letter offering to join in an agreement and the other registrant's acceptance of your offer, or a written statement by the parties that an agreement exists. The agreement to produce the data need not specify all of the terms of the final arrangement between the parties or the mechanism to resolve the terms. Section 3(c)(2)(B) provides that if the parties cannot resolve the terms of the agreement they may resolve their differences through binding arbitration.

### Option 3, Offer to Share in the Cost of Data Development

If you have made an offer to pay in an attempt to enter into an agreement or amend an existing agreement to meet the requirements of this Notice and have been unsuccessful, you may request EPA (by selecting this option) to exercise its discretion not to suspend your registration(s), although you do not comply with the data submission requirements of this Notice. EPA has determined that as a general policy, absent other relevant considerations, it will not suspend the registration of a product of a registrant who has in good faith sought and continues to seek to enter into a joint data development/cost sharing program, but the other registrant(s) developing the data has refused to accept your offer. To qualify for this option, you must submit documentation to the Agency proving that you have made an offer to another registrant (who has an obligation to submit data) to share in the burden of developing that data. You must also submit to the Agency a completed EPA Form 8570-32, Certification of Offer to Cost Share in the Development of Data. In addition, you must demonstrate that the other registrant to whom the offer was made has not accepted your offer to enter into a cost sharing agreement by including a copy of your offer and proof of the other registrant's receipt of that offer (such as a certified mail receipt). Your offer must, in addition to anything else, offer to share in the burden of producing the data upon terms to be agreed or failing agreement to be bound by binding arbitration as provided by FIFRA section 3(c)(2)(B)(iii) and must not qualify this offer. The other registrant must also inform EPA of its election of an option to develop and submit the data required by this Notice by submitting a Data Call-In Response Form and a Requirements Status and Registrant's Response Form committing to develop and submit the data required by this Notice.

In order for you to avoid suspension under this option, you may not withdraw your offer to share in the burdens of developing the data. In addition, the other registrant must fulfill its commitment to develop and submit the data as required by this Notice. If the other registrant fails to develop the data or for some other reason is subject to suspension, your registration as well as that of the other registrant will normally be subject to initiation of suspension proceedings, unless you commit to submit, and do submit the required data in the specified time frame. In such cases, the Agency generally will not grant a time extension for submitting the data.

### Option 4, Submitting an Existing Study

If you choose to submit an existing study in response to this Notice, you must determine that the study satisfies the requirements imposed by this Notice. You may only submit a study that has not been previously submitted to the Agency or previously cited by anyone. Existing studies are studies which predate issuance of this Notice. Do not use this option if you are submitting data to upgrade a study. (See Option 5).

You should be aware that if the Agency determines that the study is not acceptable, the Agency will require you to comply with this Notice, normally

without an extension of the required date of submission. The Agency may determine at any time that a study is not valid and needs to be repeated.

To meet the requirements of the DCI Notice for submitting an existing study, all of the following three criteria must be clearly met:

a. You must certify at the time that the existing study is submitted that the raw data and specimens from the study are available for audit and review and you must identify where they are available. This must be done in accordance with the requirements of the Good Laboratory Practice (GLP) regulation, 40 CFR Part 160. As stated in 40 CFR 160.3(7) "*raw data* means any laboratory worksheets, records, memoranda, notes, or exact copies thereof, that are the result of original observations and activities of a study and are necessary for the reconstruction and evaluation of the report of that study. In the event that exact transcripts of raw data have been prepared (e.g., tapes which have been transcribed verbatim, dated, and verified accurate by signature), the exact copy or exact transcript may be substituted for the original source as raw data. *Raw data* may include photographs, microfilm or microfiche copies, computer printouts, magnetic media, including dictated observations, and recorded data from automated instruments." The term "specimens", according to 40 CFR 160.3(7), means "any material derived from a test system for examination or analysis."

b. Health and safety studies completed after May 1984 must also contain all GLP-required quality assurance and quality control information, pursuant to the requirements of 40 CFR Part 160. Registrants must also certify at the time of submitting the existing study that such GLP information is available for post-May 1984 studies by including an appropriate statement on or attached to the study signed by an authorized official or representative of the registrant.

c. You must certify that each study fulfills the acceptance criteria for the Guideline relevant to the study provided in the FIFRA Accelerated Reregistration Phase 3 Technical Guidance and that the study has been conducted according to the Pesticide Assessment Guidelines (PAG) or meets the purpose of the PAG (both available from NTIS). A study not conducted according to the PAG may be submitted to the Agency for consideration if the registrant believes that the study clearly meets the purpose of the PAG. The registrant is referred to 40 CFR 158.70 which states the Agency's policy regarding acceptable protocols. If you wish to submit the study, you must, in addition to certifying that the purposes of the PAG are met by the study, clearly articulate the rationale why you believe the study meets the purpose of the PAG, including copies of any supporting information or data. It has been the Agency's experience that studies completed prior to January 1970 rarely satisfied the purpose of the PAG and that necessary raw data are usually not available for such studies.

If you submit an existing study, you must certify that the study meets all requirements of the criteria outlined above.

If EPA has previously reviewed a protocol for a study you are submitting, you must identify any action taken by the Agency on the protocol and must indicate, as part of your certification, the manner in which all Agency comments, concerns, or issues were addressed in the final protocol and study.

If you know of a study pertaining to any requirement in this Notice which does not meet the criteria outlined above but does contain factual information regarding unreasonable adverse effects, you must notify the Agency of such a study. If such a study is in the Agency's files, you need

only cite it along with the notification. If not in the Agency's files, you must submit a summary and copies as required by PR Notice 86-5.

#### Option 5, Upgrading a Study --

If a study has been classified as partially acceptable and upgradeable, you may submit data to upgrade that study. The Agency will review the data submitted and determine if the requirement is satisfied. If the Agency decides the requirement is not satisfied, you may still be required to submit new data normally without any time extension. Deficient, but upgradeable studies will normally be classified as supplemental. However, it is important to note that not all studies classified as supplemental are upgradeable. If you have questions regarding the classification of a study or whether a study may be upgraded, call or write the contact person listed in Attachment 1. If you submit data to upgrade an existing study you must satisfy or supply information to correct all deficiencies in the study identified by EPA. You must provide a clearly articulated rationale of how the deficiencies have been remedied or corrected and why the study should be rated as acceptable to EPA. Your submission must also specify the MRID number(s) of the study which you are attempting to upgrade and must be in conformance with PR Notice 86-5.

Do not submit additional data for the purpose of upgrading a study classified as unacceptable and determined by the Agency as not capable of being upgraded.

This option should also be used to cite data that has been previously submitted to upgrade a study, but has not yet been reviewed by the Agency. You must provide the MRID number of the data submission as well as the MRID number of the study being upgraded.

The criteria for submitting an existing study, as specified in Option 4 above, apply to all data submissions intended to upgrade studies. Additionally your submission of data intended to upgrade studies must be accompanied by a certification that you comply with each of those criteria as well as a certification regarding protocol compliance with Agency requirements.

#### Option 6, Citing Existing Studies --

If you choose to cite a study that has been previously submitted to EPA, that study must have been previously classified by EPA as acceptable or it must be a study which has not yet been reviewed by the Agency. Acceptable toxicology studies generally will have been classified as "core-guideline" or "core minimum." For ecological effects studies, the classification generally would be a rating of "core." For all other disciplines the classification would be "acceptable." With respect to any studies for which you wish to select this option you must provide the MRID number of the study you are citing and, if the study has been reviewed by the Agency, you must provide the Agency's classification of the study.

If you are citing a study of which you are not the original data submitter, you must submit a completed copy of EPA Form 8570-31, Certification with Respect to Data Compensation Requirements.



#### D. REQUESTS FOR DATA WAIVERS

There are two types of data waiver responses to this Notice. The first is a request for a low volume/minor use waiver and the second is a waiver request based on your belief that the data requirement(s) are inapplicable and do not apply to your product.

1. Low Volume/Minor Use Waiver -- Option 8 on the Requirements Status and Registrant's Response Form. Section 3(c)(2)(A) of FIFRA requires EPA to consider the appropriateness of requiring data for low volume, minor use pesticides. In implementing this provision EPA considers as low volume pesticides only those active ingredient(s) whose total production volume for all pesticide registrants is small. In determining whether to grant a low volume, minor use waiver the Agency will consider the extent, pattern and volume of use, the economic incentive to conduct the testing, the importance of the pesticide, and the exposure and risk from use of the pesticide. If an active ingredient(s) is used for both high volume and low volume uses, a low volume exemption will not be approved. If all uses of an active ingredient(s) are low volume and the combined volumes for all uses are also low, then an exemption may be granted, depending on review of other information outlined below. An exemption will not be granted if any registrant of the active ingredient(s) elects to conduct the testing. Any registrant receiving a low volume minor use waiver must remain within the sales figures in their forecast supporting the waiver request in order to remain qualified for such waiver. If granted a waiver, a registrant will be required, as a condition of the waiver, to submit annual sales reports. The Agency will respond to requests for waivers in writing.

To apply for a low volume, minor use waiver, you must submit the following information, as applicable to your product(s), as part of your 90-day response to this Notice:

a. Total company sales (pounds and dollars) of all registered product(s) containing the active ingredient(s). If applicable to the active ingredient(s), include foreign sales for those products that are not registered in this country but are applied to sugar (cane or beet), coffee, bananas, cocoa, and other such crops. Present the above information by year for each of the past five years.

b. Provide an estimate of the sales (pounds and dollars) of the active ingredient(s) for each major use site. Present the above information by year for each of the past five years.

c. Total direct production cost of product(s) containing the active ingredient(s) by year for the past five years. Include information on raw material cost, direct labor cost, advertising, sales and marketing, and any other significant costs listed separately.

d. Total indirect production cost (e.g. plant overhead, amortized plant and equipment) charged to product(s) containing the active ingredient(s) by year for the past five years. Exclude all non-recurring costs that were directly related to the active ingredient(s), such as costs of initial registration and any data development.

e. A list of each data requirement for which you seek a waiver. Indicate the type of waiver sought and the estimated cost to you (listed separately for each data requirement and associated test) of conducting the testing needed to fulfill each of these data requirements.

f. A list of each data requirement for which you are not seeking any waiver and the estimated cost to you (listed separately for each data requirement and associated test) of conducting the testing needed to fulfill each of these data requirements.

g. For each of the next ten years, a year-by-year forecast of company sales (pounds and dollars) of the active ingredient(s), direct production costs of product(s) containing the active ingredient(s) (following the parameters in item c above), indirect production costs of product(s) containing the active ingredient(s) (following the parameters in item d above), and costs of data development pertaining to the active ingredient(s).

h. A description of the importance and unique benefits of the active ingredient(s) to users. Discuss the use patterns and the effectiveness of the active ingredient(s) relative to registered alternative chemicals and non-chemical control strategies. Focus on benefits unique to the active ingredient(s), providing information that is as quantitative as possible. If you do not have quantitative data upon which to base your estimates, then present the reasoning used to derive your estimates. To assist the Agency in determining the degree of importance of the active ingredient(s) in terms of its benefits, you should provide information on any of the following factors, as applicable to your product(s):

(1) documentation of the usefulness of the active ingredient(s) in Integrated Pest Management, (b) description of the beneficial impacts on the environment of use of the active ingredient(s), as opposed to its registered alternatives, (c) information on the breakdown of the active ingredient(s) after use and on its persistence in the environment, and (d) description of its usefulness against a pest(s) of public health significance.

Failure to submit sufficient information for the Agency to make a determination regarding a request for a low volume minor use waiver will result in denial of the request for a waiver.

2. Request for Waiver of Data --Option 9 on the Requirements Status and Registrant's Response Form. This option may be used if you believe that a particular data requirement should not apply because the corresponding use is no longer registered or the requirement is inappropriate. You must submit a rationale explaining why you believe the data requirements should not apply. You must also submit the current label(s) of your product(s) and, if a current copy of your Confidential Statement of Formula is not already on file you must submit a current copy.

You will be informed of the Agency's decision in writing. If the Agency determines that the data requirements of this Notice do not apply to your product(s), you will not be required to supply the data pursuant to section 3(c)(2)(B). If EPA determines that the data are required for your product(s), you must choose a method of meeting the requirements of this Notice within the time frame provided by this Notice. Within 30 days of your receipt of the Agency's written decision, you must submit a revised Requirements Status and Registrant's Response Form indicating the option chosen.

#### IV. CONSEQUENCES OF FAILURE TO COMPLY WITH THIS NOTICE

##### A. NOTICE OF INTENT TO SUSPEND

The Agency may issue a Notice of Intent to Suspend products subject to this Notice due to failure by a registrant to comply with the requirements of this Data Call-In Notice, pursuant to FIFRA section 3(c)(2)(B). Events which may be the basis for issuance of a Notice of Intent to Suspend include, but are not limited to, the following:

1. Failure to respond as required by this Notice within 90 days of your receipt of this Notice.
2. Failure to submit on the required schedule an acceptable proposed or final protocol when such is required to be submitted to the Agency for review.
3. Failure to submit on the required schedule an adequate progress report on a study as required by this Notice.
4. Failure to submit on the required schedule acceptable data as required by this Notice.
5. Failure to take a required action or submit adequate information pertaining to any option chosen to address the data requirements (e.g., any required action or information pertaining to submission or citation of existing studies or offers, arrangements, or arbitration on the sharing of costs or the formation of Task Forces, failure to comply with the terms of an agreement or arbitration concerning joint data development or failure to comply with any terms of a data waiver).
6. Failure to submit supportable certifications as to the conditions of submitted studies, as required by Section III-C of this Notice.
7. Withdrawal of an offer to share in the cost of developing required data.
8. Failure of the registrant to whom you have tendered an offer to share in the cost of developing data and provided proof of the registrant's receipt of such offer, or failure of a registrant on whom you rely for a generic data exemption either to:
  - a. inform EPA of intent to develop and submit the data required by this Notice on a Data Call-In Response Form and a Requirements Status and Registrant's Response Form; or,
  - b. fulfill the commitment to develop and submit the data as required by this Notice; or,
  - c. otherwise take appropriate steps to meet the requirements stated in this Notice, unless you commit to submit and do submit the required data in the specified time frame.
9. Failure to take any required or appropriate steps, not mentioned above, at any time following the issuance of this Notice.

**B. BASIS FOR DETERMINATION THAT SUBMITTED STUDY IS UNACCEPTABLE**

The Agency may determine that a study (even if submitted within the required time) is unacceptable and constitutes a basis for issuance of a Notice of Intent to Suspend. The grounds for suspension include, but are not limited to, failure to meet any of the following:

1. EPA requirements specified in the Data Call-In Notice or other documents incorporated by reference (including, as applicable, EPA Pesticide Assessment Guidelines, Data Reporting Guidelines, and GeneTox Health Effects Test Guidelines) regarding the design, conduct, and reporting of required studies. Such requirements include, but are not limited to, those relating to test material, test procedures, selection of species, number of animals, sex and distribution of animals, dose and effect levels to be tested or attained, duration of test, and, as applicable, Good Laboratory Practices.
2. EPA requirements regarding the submission of protocols, including the incorporation of any changes required by the Agency following review.
3. EPA requirements regarding the reporting of data, including the manner of reporting, the completeness of results, and the adequacy of any required supporting (or raw) data, including, but not limited to, requirements referenced or included in this Notice or contained in PR 86-5. All studies must be submitted in the form of a final report; a preliminary report will not be considered to fulfill the submission requirement.

**C. EXISTING STOCKS OF SUSPENDED OR CANCELLED PRODUCTS**

EPA has statutory authority to permit continued sale, distribution and use of existing stocks of a pesticide product which has been suspended or cancelled if doing so would be consistent with the purposes of the Federal Insecticide, Fungicide, and Rodenticide Act.

The Agency has determined that such disposition by registrants of existing stocks for a suspended registration when a section 3(c)(2)(B) data request is outstanding would generally not be consistent with the Act's purposes. Accordingly, the Agency anticipates granting registrants permission to sell, distribute, or use existing stocks of suspended product(s) only in exceptional circumstances. If you believe such disposition of existing stocks of your product(s) which may be suspended for failure to comply with this Notice should be permitted, you have the burden of clearly demonstrating to EPA that granting such permission would be consistent with the Act. You must also explain why an "existing stocks" provision is necessary, including a statement of the quantity of existing stocks and your estimate of the time required for their sale, distribution, and use. Unless you meet this burden the Agency will not consider any request pertaining to the continued sale, distribution, or use of your existing stocks after suspension.

If you request a voluntary cancellation of your product(s) as a response to this Notice and your product is in full compliance with all Agency requirements, you will have, under most circumstances, one year from the date your 90 day response to this Notice is due, to sell, distribute, or use existing stocks. Normally, the Agency will allow persons other than the registrant such as independent distributors, retailers and end users to sell, distribute or use such existing stocks until the stocks are exhausted. Any sale, distribution or use of stocks of voluntarily cancelled products containing an active ingredient(s) for which the Agency has particular risk concerns will be determined on case-by-case basis.

Requests for voluntary cancellation received after the 90 day response period required by this Notice will not result in the Agency granting any additional time to sell, distribute, or use existing stocks beyond a year from the date the 90 day response was due unless you demonstrate to the Agency that you are in full compliance with all Agency requirements, including the requirements of this Notice. For example, if you decide to voluntarily cancel your registration six months before a 3 year study is scheduled to be submitted, all progress reports and other information necessary to establish that you have been conducting the study in an acceptable and good faith manner must have been submitted to the Agency, before EPA will consider granting an existing stocks provision.

#### SECTION V. REGISTRANTS' OBLIGATION TO REPORT POSSIBLE UNREASONABLE ADVERSE EFFECTS

Registrants are reminded that FIFRA section 6(a)(2) states that if at any time after a pesticide is registered a registrant has additional factual information regarding unreasonable adverse effects on the environment by the pesticide, the registrant shall submit the information to the Agency. Registrants must notify the Agency of any factual information they have, from whatever source, including but not limited to interim or preliminary results of studies, regarding unreasonable adverse effects on man or the environment. This requirement continues as long as the products are registered by the Agency.

#### SECTION VI. INQUIRIES AND RESPONSES TO THIS NOTICE

If you have any questions regarding the requirements and procedures established by this Notice, call the contact person listed in Attachment 1, the Data Call-In Chemical Status Sheet.

All responses to this Notice (other than voluntary cancellation requests and generic data exemption claims) must include a completed Data Call-In Response Form (Attachment 2) and a completed Requirements Status and Registrant's Response Form (Attachment 3) and any other documents required by this Notice, and should be submitted to the contact person identified in Attachment 1. If the voluntary cancellation or generic data exemption option is chosen, only the Data Call-In Response Form need be submitted.

The Office of Compliance (OC) of the Office of Enforcement and Compliance Assurance (OECA), EPA, will be monitoring the data being generated in response to this Notice.

Sincerely yours,

Peter Caulkins, Acting Director  
Special Review  
and Reregistration Division



## **Attachment 1. Chemical Status Sheet**





## **(Z)-9-TRICOSENE DATA CALL-IN CHEMICAL STATUS SHEET**

### INTRODUCTION

You have been sent this Generic Data Call-In Notice because you have product(s) containing (Z)-9-Tricosene.

This Generic Data Call-In Chemical Status Sheet, contains an overview of data required by this notice, and point of contact for inquiries pertaining to the reregistration of (Z)-9-Tricosene. This attachment is to be used in conjunction with (1) the Generic Data Call-In Notice, (2) the Generic Data Call-In Response Form (Attachment 2), (3) the Requirements Status and Registrant's Form (Attachment 2), (4) a list of registrants receiving this DCI (Attachment 4), (5) the EPA Acceptance Criteria (Attachment 5), and (6) the Cost Share and Data Compensation Forms in replying to this (Z)-9-Tricosene Generic Data CallIn (Attachment F). Instructions and guidance accompany each form.

### DATA REQUIRED BY THIS NOTICE

The additional data requirements needed to complete the generic database for (Z)-9-Tricosene are contained in the Requirements Status and Registrant's Response, Attachment C. The Agency has concluded that additional product chemistry data on (Z)-9-Tricosene are needed. These data are needed to fully complete the reregistration of all eligible (Z)-9-Tricosene products.

### INQUIRIES AND RESPONSES TO THIS NOTICE

If you have any questions regarding the generic data requirements and procedures established by this Notice, please contact Tom Myers at (703) 308-8074.

All responses to this Notice for the generic data requirements should be submitted to:

Tom Myers, Chemical Review Manager  
Accelerated Reregistration Branch  
Special Review and Registration Division (H7508W)  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
Washington, D.C. 20460  
RE: (Z)-9-Tricosene



**Attachment 2. Generic DCI Response Forms Inserts (Form A) plus Instructions**



## **SPECIFIC INSTRUCTIONS FOR THE GENERIC DATA CALL-IN RESPONSE FORM**

This Form is designed to be used to respond to call-ins for generic and product specific data for the purpose of reregistering pesticides under the Federal Insecticide Fungicide and Rodenticide Act. Fill out this form each time you are responding to a data call-in for which EPA has sent you the form entitled "Requirements Status and Registrant's Response."

Items 1-4 will have been preprinted on the form Items 5 through 7 must be completed by the registrant as appropriate Items 8 through 11 must be completed by the registrant before submitting a response to the Agency.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggesting for reducing this burden, to Chief, Information Policy Branch, PM-223, U S Environmental Protection Agency, 401 M St , S W , Washington, D C 20460; and to the Office of Management and Budget, Paperwork Reduction Project 2070-0107, Washington, D C 20503.

### INSTRUCTIONS

- Item 1. This item identifies your company name, number and address.
- Item 2. This item identifies the ease number, ease name, EPA chemical number and chemical name.
- Item 3. This item identifies the date and type of data call-in.
- Item 4. This item identifies the EPA product registrations relevant to the data call-in. Please note that you are also responsible for informing the Agency of your response regarding any product that you believe may be covered by this data call-in but that is not listed by the Agency in Item 4. You must bring any such apparent omission to the Agency's attention within the period required for submission of this response form.
- Item 5. Check this item for each product registration you wish to cancel voluntarily. If a registration number is listed for a product for which you previously requested voluntary cancellation, indicate in Item 5 the date of that request. You do not need to complete any item on the Requirements Status and Registrant's Response Form for any product that is voluntarily cancelled.
- Item 6a. Check this item if this data call-in is for generic data as indicated in Item 3 and if you are eligible for a Generic Data Exemption for the chemical listed in Item 2 and used in the subject product. By electing this exemption, you agree to the terms and conditions of a Generic Data Exemption as explained in the Data Call-In Notice.

If you are eligible for or claim a Generic Data Exemption, enter the EPA registration Number of each registered source of that active ingredient that you use in your product.

Typically, if you purchase an EPA-registered product from one or more other producers (who, with respect to the incorporated product, are in compliance with this and-any other outstanding Data Call-In Notice), and

incorporate that product into all your products, you may complete this item for all products listed on this form. If, however, you produce the active ingredient yourself, or use any unregistered product (regardless of the fact that some of your sources are registered), you may not claim a Generic Data Exemption and you may not select this item.

- Item 6b. Check this Item if the data call-in is a generic data call-in as indicated in Item 3 and if you are agreeing to satisfy the generic data requirements of this data call-in. Attach the Requirements Status and Registrant's Response Form that indicates how you will satisfy those requirements.
- Item 7a. Check this item if this call-in is a data call-in as indicated in Item 3 for a manufacturing use product (MUP), and if your product is a manufacturing use product for which you agree to supply product-specific data. Attach the Requirements Status and Registrants' Response Form that indicates how you will satisfy those requirements.
- Item 7b. Check this item if this call-in is a data call-in for an end use product (EUP) as indicated in Item 3 and if your product is an end use product for which you agree to supply product-specific data. Attach the Requirements Status and Registrant's Response Form that indicates how you will satisfy those requirements.
- Item 8. This certification statement must be signed by an authorized representative of your company and the person signing must include his/her title. Additional pages used in your response must be initialed and dated in the space provided for the certification.
- Item 9. Enter the date of signature.
- Item 10. Enter the name of the person EPA should contact with questions regarding your response.
- Item 11. Enter the phone number of your company contact.

**Attachment 3. Requirements Status and Registrants'  
Response Forms Inserts (Form B) plus Instructions**

## **SPECIFIC INSTRUCTIONS FOR COMPLETING THE REQUIREMENTS STATUS AND REGISTRANTS RESPONSE FORM**

### Generic Data

This form is designed to be used for registrants to respond to call-in- for generic and product-specific data as part of EPA's reregistration program under the Federal Insecticide Fungicide and Rodenticide Act. Although the form is the same for both product specific and generic data, instructions for completing the forms differ slightly. Specifically, options for satisfying product specific data requirements do not include (1) deletion of uses or (2) request for a low volume/minor use waiver. These instructions are for completion of generic data requirements.

EPA has developed this form individually for each data call-in addressed to each registrant, and has preprinted this form with a number of items. DO NOT use this form for any other active ingredient.

Items 1 through 8 (inclusive) will have been preprinted on the form. You must complete all other items on this form by typing or printing legibly.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggesting for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460; and to the Office of Management and Budget, Paperwork Reduction Project 2070-0107, Washington, D.C. 20503.

### INSTRUCTIONS

- Item 1. This item identifies your company name, number, and address.
- Item 2. This item identifies the case number, case name, EPA chemical number and chemical name.
- Item 3. This item identifies the date and type of data call-in.
- Item 4. This item identifies the guideline reference numbers of studies required to support the product(s) being reregistered. These guidelines, in addition to requirements specified in the Data Call-In Notice, govern the conduct of the required studies.
- Item 5. This item identifies the study title associated with the guideline reference number and whether protocols and 1, 2, or 3-year progress reports are required to be



submitted in connection with the study. As noted in Section III of the Data Call-In Notice, 90-day progress reports are required for all studies.

If an asterisk appears in Item 5, EPA has attached information relevant to this guideline reference number to the Requirements Status and Registrant's Response Form.

Item 6. This item identifies the code associated with the use pattern of the pesticide. A brief description of each code follows:

- |    |                              |
|----|------------------------------|
| A. | Terrestrial food             |
| B. | Terrestrial feed             |
| C. | Terrestrial non-food         |
| D. | Aquatic food                 |
| E. | Aquatic non-food outdoor     |
| F. | Aquatic non-food industrial  |
| G. | Aquatic non-food residential |
| H. | Greenhouse food              |
| I. | Greenhouse non-food crop     |
| J. | Forestry                     |
| K. | Residential                  |
| L. | Indoor food                  |
| M. | Indoor non-food              |
| N. | Indoor medical               |
| O. | Indoor residential           |

Item 7. This item identifies the code assigned to the substance that must be used for testing. A brief description of each code follows.

- |            |   |
|------------|---|
| EP         | End-Use Product   |
| MP         | Manufacturing-Use Product   |
| MP/TGAI    | Manufacturing-Use Product and Technical Grade Active Ingredient           |
| PAI        | Pure Active Ingredient  |
| PAI/M      | Pure Active Ingredient and Metabolites                                    |
| PAI/PAIRA  | Pure Active Ingredient or Pure Active Ingredient Radiolabelled            |
| PAIRA      | Pure Active Ingredient Radiolabelled                                      |
| PAIRA/M    | Pure Active Ingredient Radiolabelled and Metabolites                      |
| PAIRA/PM   | Pure Active Ingredient Radiolabelled and Plant Metabolites                |
| TEP        | Typical End-Use Product   |
| TEP _ *    | Typical End-Use Product, Percent Active Ingredient Specified              |
| TEP/MET    | Typical End-Use Product and Metabolites                                   |
| TEP/PAI/M  | Typical End-Use Product or Pure Active Ingredient and Metabolites         |
| TGAI/PAIRA | Technical Grade Active Ingredient or Pure Active Ingredient Radiolabelled |
| TGAI       | Technical Grade Active Ingredient   |
| TGAI/TEP   | Technical Grade Active Ingredient or Typical End-Use Product              |
| TGAI/PAI   | Technical Grade Active Ingredient or Pure Active Ingredient               |
| MET        | Metabolites   |
| IMP        | Impurities  |

## DEGR

## Degradates

\*See: guideline comment

- Item 8. This item identifies the time frame allowed for submission of the study or protocol identified in item 2. The time frame runs from the date **of your** receipt of the Data Call-In Notice.
- Item 9. Enter the appropriate Response Code or Codes to show how you intend to comply with each data requirement. Brief descriptions of each code follow. The Data Call-In Notice contains a fuller description of each of these options.
1. (Developing Data) I will conduct a new study and submit it within the time frames specified in item 8 above. By indicating that I have chosen this option, I certify that I will comply with all the requirements pertaining to the conditions for submittal of this study as outlined in the Data Call-In Notice and that I will provide the protocol and progress reports required in item 5 above.
  2. (Agreement to Cost Share) I have entered into an agreement with one or more registrants to develop data jointly. By indicating that I have chosen this option, I certify that I will comply with all the requirements pertaining to sharing in the cost of developing data as outlined in the Data Call-In Notice.
  3. (Offer to Cost Share) I have made an offer to enter into an agreement with one or more registrants to develop data jointly. I am submitting a copy of the form "Certification of Offer to Cost Share in the Development of Data" that describes this offer/agreement. By indicating that I have chosen this option, I certify that I will comply with all the requirements pertaining to making an offer to share in the cost of developing data as outlined in the Data Call-In Notice.
  4. (Submitting Existing Data) I am submitting an existing study that has never before been submitted to EPA. By indicating that I have chosen this option, I certify that this study meets all the requirements pertaining to the conditions for submittal of existing data outlined in the Data Call-In Notice and I have attached the needed supporting information along with this response.
  5. (Upgrading a Study) I am submitting or citing data to upgrade a study that EPA has classified as partially acceptable and potentially upgradeable. By indicating that I have chosen this option, I certify that I have met all the requirements pertaining to the conditions for submitting or citing existing data to upgrade a study described in the Data Call-In Notice. I am indicating on attached correspondence the Master Record Identification Number (MRID) that EPA has assigned to the data that I am citing as well as the MRID of the study I am attempting to upgrade.
  6. (Citing a Study) I am citing an existing study that has been previously classified by EPA as acceptable, core, core minimum, or a study that has not yet been reviewed by the Agency. I am providing the Agency's classification of the study.
  7. (Deleting Uses) I am attaching an application for amendment to my registration deleting the uses for which the data are required.

8. (Low Volume/Minor Use Waiver Request) I have read the statements concerning low volume-minor use data waivers in the Data Call-In Notice and I request a low-volume minor use waiver of the data requirement. I am attaching a detailed justification to support this waiver request including, among other things, all information required to support the request. I understand that, unless modified by the Agency in writing, the data requirement as stated in the Notice governs.
  9. (Request for Waiver of Data) I have read the statements concerning data waivers other than low volume minor-use data waivers in the Data Call-In Notice and I request a waiver of the data requirement. I am attaching an identification of the basis for this waiver and a detailed justification to support this waiver request. The justification includes, among other things, all information required to support the request. I understand that, unless modified by the Agency in writing, the data requirement as stated in the Notice governs.
- Item 10. This item must be signed by an authorized representative of your company. The person signing must include his/her title, and must initial and date all other pages of this form.
- Item 11. Enter the date of signature.
- Item 12. Enter the name of the person EPA should contact with questions regarding your response.
- Item 13. Enter the phone number of your company contact.



**Attachment 4. List of Registrant(s) sent this DCI (Insert)**



## **APPENDIX G. Product Specific Data Call-In**







## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

### DATA CALL-IN NOTICE

#### CERTIFIED MAIL

Dear Sir or Madam:

This Notice requires you and other registrants of pesticide products containing the active ingredient identified in Attachment 1 of this Notice, the Data Call-In Chemical Status Sheet, to submit certain product specific data as noted herein to the U.S. Environmental Protection Agency (EPA, the Agency). These data are necessary to maintain the continued registration of your product(s) containing this active ingredient. Within 90 days after you receive this Notice you must respond as set forth in Section III below. Your response must state:

1. How you will comply with the requirements set forth in this Notice and its Attachments A through G; or
2. Why you believe you are exempt from the requirements listed in this Notice and in Attachment 3, Requirements Status and Registrant's Response Form, (see section III-B); or
3. Why you believe EPA should not require your submission of product specific data in the manner specified by this Notice (see section III-D).

If you do not respond to this Notice, or if you do not satisfy EPA that you will comply with its requirements or should be exempt or excused from doing so, then the registration of your product(s) subject to this Notice will be subject to suspension. We have provided a list of all of your products subject to this Notice in Attachment 2, Data Call-In Response Form, as well as a list of all registrants who were sent this Notice (Attachment 6).

The authority for this Notice is section 3(c)(2)(B) of the Federal Insecticide, Fungicide and Rodenticide Act as amended (FIFRA), 7 U.S.C. section 136a(c)(2)(B). Collection of this information is authorized under the Paperwork Reduction Act by OMB Approval No. 2070-0107 (expiration date 12-31-92).

This Notice is divided into six sections and seven Attachments. The Notice itself contains information and instructions applicable to all Data Call-In Notices. The Attachments contain specific chemical information and instructions. The six sections of the Notice are:

- Section I - Why You Are Receiving This Notice
- Section II - Data Required By This Notice

- Section III - Compliance With Requirements Of This Notice
- Section IV - Consequences Of Failure To Comply With This Notice
- Section V - Registrants' Obligation To Report Possible Unreasonable Adverse Effects
- Section VI - Inquiries And Responses To This Notice

The Attachments to this Notice are:

- 1 - Data Call-In Chemical Status Sheet
- 2 - Product-Specific Data Call-In Response Form
- 3 - Requirements Status and Registrant's Response Form
- 4 - EPA Grouping of End-Use Products for Meeting Acute Toxicology Data Requirements for Reregistration
- 5 - EPA Acceptance Criteria
- 6 - List of Registrants Receiving This Notice
- 7 - Cost Share and Data Compensation Forms, and Product Specific Data Report Form

## SECTION I. WHY YOU ARE RECEIVING THIS NOTICE

The Agency has reviewed existing data for this active ingredient and reevaluated the data needed to support continued registration of the subject active ingredient. The Agency has concluded that the only additional data necessary are product specific data. No additional generic data requirements are being imposed. You have been sent this Notice because you have product(s) containing the subject active ingredient.

## SECTION II. DATA REQUIRED BY THIS NOTICE

### II-A. DATA REQUIRED

The product specific data required by this Notice are specified in Attachment 3, Requirements Status and Registrant's Response Form. Depending on the results of the studies required in this Notice, additional testing may be required.

### II-B. SCHEDULE FOR SUBMISSION OF DATA

You are required to submit the data or otherwise satisfy the data requirements specified in Attachment 3, Requirements Status and Registrant's Response Form, within the time frames provided.

### II-C. TESTING PROTOCOL

All studies required under this Notice must be conducted in accordance with test standards outlined in the Pesticide Assessment Guidelines for those studies for which guidelines have been established.

These EPA Guidelines are available from the National Technical Information Service (NTIS), Attn: Order Desk, 5285 Port Royal Road, Springfield, Va 22161 (tel: 703-487-4650).

Protocols approved by the Organization for Economic Cooperation and Development (OECD) are also acceptable if the OECD-recommended test standards conform to those specified in the Pesticide Data Requirements regulation (40 CFR § 158.70). When using the OECD protocols, they should be modified as appropriate so that the data generated by the study will satisfy the requirements of 40 CFR § 158. Normally, the Agency will not extend deadlines for

complying with data requirements when the studies were not conducted in accordance with acceptable standards. The OECD protocols are available from OECD, 1750 Pennsylvania Avenue N.W., Washington, D.C. 20006.

All new studies and proposed protocols submitted in response to this Data Call-In Notice must be in accordance with Good Laboratory Practices [40 CFR Part 160.3(a)(6)].

## II-D. REGISTRANTS RECEIVING PREVIOUS SECTION 3(c)(2)(B) NOTICES ISSUED BY THE AGENCY

Unless otherwise noted herein, this Data Call-In does not in any way supersede or change the requirements of any previous Data Call-In(s), or any other agreements entered into with the Agency pertaining to such prior Notice. Registrants must comply with the requirements of all Notices to avoid issuance of a Notice of Intent to Suspend their affected products.

## SECTION III. COMPLIANCE WITH REQUIREMENTS OF THIS NOTICE

### III-A. SCHEDULE FOR RESPONDING TO THE AGENCY

The appropriate responses initially required by this Notice for product specific data must be submitted to the Agency within 90 days after your receipt of this Notice. Failure to adequately respond to this Notice within 90 days of your receipt will be a basis for issuing a Notice of Intent to Suspend (NOIS) affecting your products. This and other bases for issuance of NOIS due to failure to comply with this Notice are presented in Section IV-A and IV-B.

### III-B. OPTIONS FOR RESPONDING TO THE AGENCY

The options for responding to this Notice for product specific data are: (a) voluntary cancellation, (b) agree to satisfy the product specific data requirements imposed by this notice or (c) request a data waiver(s).

A discussion of how to respond if you chose the Voluntary Cancellation option is presented below. A discussion of the various options available for satisfying the product specific data requirements of this Notice is contained in Section III-C. A discussion of options relating to requests for data waivers is contained in Section III-D.

There are two forms that accompany this Notice of which, depending upon your response, one or both must be used in your response to the Agency. These forms are the Data-Call-In Response Form, and the Requirements Status and Registrant's Response Form, Attachment 2 and Attachment 3. The Data Call-In Response Form must be submitted as part of every response to this Notice. In addition, one copy of the Requirements Status and Registrant's Response Form must be submitted for each product listed on the Data Call-In Response Form unless the voluntary cancellation option is selected or unless the product is identical to another (refer to the instructions for completing the Data Call-In Response Form in Attachment 2). Please note that the company's authorized representative is required to sign the first page of the Data Call-In Response Form and Requirements Status and Registrant's Response Form (if this form is required) and initial any subsequent pages. The forms contain separate detailed instructions on the response options. Do not alter the printed material. If you have questions or need assistance in preparing your response, call or write the contact person(s) identified in Attachment 1.

1. Voluntary Cancellation - You may avoid the requirements of this Notice by requesting voluntary cancellation of your product(s) containing the active ingredient that is the subject of this Notice. If you wish to voluntarily cancel your product, you must submit a completed Data Call-In Response Form, indicating your election of this option. Voluntary cancellation is item number 5 on the Data Call-In Response Form. If you choose this option, this is the only form that you are required to complete.

If you chose to voluntarily cancel your product, further sale and distribution of your product after the effective date of cancellation must be in accordance with the Existing Stocks provisions of this Notice which are contained in Section IV-C.

2. Satisfying the Product Specific Data Requirements of this Notice There are various options available to satisfy the product specific data requirements of this Notice. These options are discussed in Section III-C of this Notice and comprise options 1 through 6 on the Requirements Status and Registrant's Response Form and item numbers 7a and 7b on the Data Call-In Response Form. Deletion of a use(s) and the low volume/minor use option are not valid options for fulfilling product specific data requirements.

3. Request for Product Specific Data Waivers. Waivers for product specific data are discussed in Section III-D of this Notice and are covered by option 7 on the Requirements Status and Registrant's Response Form. If you choose one of these options, you must submit both forms as well as any other information/data pertaining to the option chosen to address the data requirement.

### III-C SATISFYING THE DATA REQUIREMENTS OF THIS NOTICE

If you acknowledge on the Data Call-In Response Form that you agree to satisfy the product specific data requirements (i.e. you select item number 7a or 7b), then you must select one of the six options on the Requirements Status and Registrant's Response Form related to data production for each data requirement. Your option selection should be entered under item number 9, "Registrant Response." The six options related to data production are the first six options discussed under item 9 in the instructions for completing the Requirements Status and Registrant's Response Form. These six options are listed immediately below with information in parentheses to guide registrants to additional instructions provided in this Section. The options are:

- (1) I will generate and submit data within the specified time frame (Developing Data)
- (2) I have entered into an agreement with one or more registrants to develop data jointly (Cost Sharing)
- (3) I have made offers to cost-share (Offers to Cost Share)
- (4) I am submitting an existing study that has not been submitted previously to the Agency by anyone (Submitting an Existing Study)
- (5) I am submitting or citing data to upgrade a study classified by EPA as partially acceptable and upgradeable (Upgrading a Study)
- (6) I am citing an existing study that EPA has classified as acceptable or an existing study that has been submitted but not reviewed by the Agency (Citing an Existing Study)

Option 1, Developing Data -- If you choose to develop the required data it must be in conformance with Agency deadlines and with other Agency requirements as referenced herein and in the attachments. All data generated and submitted must comply with the Good Laboratory Practice (GLP) rule (40 CFR Part 160), be conducted according to the Pesticide Assessment Guidelines (PAG), and be in conformance with the requirements of PR Notice 86-5.

The time frames in the Requirements Status and Registrant's Response Form are the time frames that the Agency is allowing for the submission of completed study reports. The noted deadlines run from the date of the receipt of this Notice by the registrant. If the data are not submitted by the deadline, each registrant is subject to receipt of a Notice of Intent to Suspend the affected registration(s).

If you cannot submit the data/reports to the Agency in the time required by this Notice and intend to seek additional time to meet the requirements(s), you must submit a request to the Agency which includes: (1) a detailed description of the expected difficulty and (2) a proposed schedule including alternative dates for meeting such requirements on a step-by-step basis. You must explain any technical or laboratory difficulties and provide documentation from the laboratory performing the testing. While EPA is considering your request, the original deadline remains. The Agency will respond to your request in writing. If EPA does not grant your request, the original deadline remains. Normally, extensions can be requested only in cases of extraordinary testing problems beyond the expectation or control of the registrant. Extensions will not be given in submitting the 90-day responses. Extensions will not be considered if the request for extension is not made in a timely fashion; in no event shall an extension request be considered if it is submitted at or after the lapse of the subject deadline.

Option 2, Agreement to Share in Cost to Develop Data -- Registrants may only choose this option for acute toxicity data and certain efficacy data and only if EPA has indicated in the attached data tables that your product and at least one other product are similar for purposes of depending on the same data. If this is the case, data may be generated for just one of the products in the group. The registration number of the product for which data will be submitted must be noted in the agreement to cost share by the registrant selecting this option. If you choose to enter into an agreement to share in the cost of producing the required data but will not be submitting the data yourself, you must provide the name of the registrant who will be submitting the data. You must also provide EPA with documentary evidence that an agreement has been formed. Such evidence may be your letter offering to join in an agreement and the other registrant's acceptance of your offer, or a written statement by the parties that an agreement exists. The agreement to produce the data need not specify all of the terms of the final arrangement between the parties or the mechanism to resolve the terms. Section 3(c)(2)(B) provides that if the parties cannot resolve the terms of the agreement they may resolve their differences through binding arbitration.

Option 3, Offer to Share in the Cost of Data Development -- This option only applies to acute toxicity and certain efficacy data as described in option 2 above. If you have made an offer to pay in an attempt to enter into an agreement or amend an existing agreement to meet the requirements of this Notice and have been unsuccessful, you may request EPA (by selecting this option) to exercise its discretion not to suspend your registration(s), although you do not comply with the data submission requirements of this Notice. EPA has determined that as a general policy, absent other relevant considerations, it will not suspend the registration of a product of a registrant who has in good faith sought and continues to seek to enter into a joint data development/cost sharing program, but the other registrant(s) developing the data has refused to accept your offer. To qualify for this option, you must submit documentation to the Agency proving that you have made an offer to another registrant (who has an obligation to submit data) to share in the burden of developing that data. You must also submit to the Agency a completed EPA Form 8570-32, Certification of Offer to Cost Share in the Development of Data, Attachment 7. In addition, you must demonstrate that the other registrant to whom the offer was made has not accepted your offer to enter into a cost sharing agreement by including a copy of your offer and proof of the other registrant's receipt of that offer (such as a certified mail receipt). Your offer must, in addition to anything else, offer to share in the burden of producing the data upon terms to be agreed or failing agreement to be bound by binding arbitration as provided by FIFRA section 3(c)(2)(B)(iii) and must not qualify this offer. The other registrant must also inform EPA of its election of an option to develop and submit the data required by this Notice by submitting a Data Call-In Response Form and a Requirements Status and Registrant's Response Form committing to develop and submit the data required by this Notice.

In order for you to avoid suspension under this option, you may not withdraw your offer to share in the burdens of developing the data. In addition, the other registrant must fulfill its commitment to develop and submit the data as required by this Notice. If the other registrant fails to develop the data or for some other reason is subject to suspension, your registration as

well as that of the other registrant will normally be subject to initiation of suspension proceedings, unless you commit to submit, and do submit the required data in the specified time frame. In such cases, the Agency generally will not grant a time extension for submitting the data.

Option 4, Submitting an Existing Study -- If you choose to submit an existing study in response to this Notice, you must determine that the study satisfies the requirements imposed by this Notice. You may only submit a study that has not been previously submitted to the Agency or previously cited by anyone. Existing studies are studies which predate issuance of this Notice. Do not use this option if you are submitting data to upgrade a study. (See Option 5).

You should be aware that if the Agency determines that the study is not acceptable, the Agency will require you to comply with this Notice, normally without an extension of the required date of submission. The Agency may determine at any time that a study is not valid and needs to be repeated.

To meet the requirements of the DCI Notice for submitting an existing study, all of the following three criteria must be clearly met:

- a. You must certify at the time that the existing study is submitted that the raw data and specimens from the study are available for audit and review and you must identify where they are available. This must be done in accordance with the requirements of the Good Laboratory Practice (GLP) regulation, 40 CFR Part 160. As stated in 40 CFR 160.3(j) "'raw data' means any laboratory worksheets, records, memoranda, notes, or exact copies thereof, that are the result of original observations and activities of a study and are necessary for the reconstruction and evaluation of the report of that study. In the event that exact transcripts of raw data have been prepared (e.g., tapes which have been transcribed verbatim, dated, and verified accurate by signature), the exact copy or exact transcript may be substituted for the original source as raw data. 'Raw data' may include photographs, microfilm or microfiche copies, computer printouts, magnetic media, including dictated observations, and recorded data from automated instruments." The term "specimens", according to 40 CFR 160.3(k), means "any material derived from a test system for examination or analysis."
- b. Health and safety studies completed after May 1984 must also contain all GLP-required quality assurance and quality control information, pursuant to the requirements of 40 CFR Part 160. Registrants must also certify at the time of submitting the existing study that such GLP information is available for post-May 1984 studies by including an appropriate statement on or attached to the study signed by an authorized official or representative of the registrant.
- c. You must certify that each study fulfills the acceptance criteria for the Guideline relevant to the study provided in the FIFRA Accelerated Reregistration Phase 3 Technical Guidance and that the study has been conducted according to the Pesticide Assessment Guidelines (PAG) or meets the purpose of the PAG (both available from NTIS). A study not conducted according to the PAG may be submitted to the Agency for consideration if the registrant believes that the study clearly meets the purpose of the PAG. The registrant is referred to 40 CFR 158.70 which states the Agency's policy regarding acceptable protocols. If you wish to submit the study, you must, in addition to certifying that the purposes of the PAG are met by the study, clearly articulate the rationale why you believe the study meets the purpose of the PAG, including copies of any supporting information or data. It has been the Agency's experience that studies completed prior to January 1970 rarely satisfied the purpose of the PAG and that necessary raw data are usually not available for such studies.

If you submit an existing study, you must certify that the study meets all requirements of the criteria outlined above.

If you know of a study pertaining to any requirement in this Notice which does not meet the criteria outlined above but does contain factual information regarding unreasonable adverse effects, you must notify the Agency of such a study. If such study is in the Agency's files, you need only cite it along with the notification. If not in the Agency's files, you must submit a summary and copies as required by PR Notice 86-5.

Option 5, Upgrading a Study -- If a study has been classified as partially acceptable and upgradeable, you may submit data to upgrade that study. The Agency will review the data submitted and determine if the requirement is satisfied. If the Agency decides the requirement is not satisfied, you may still be required to submit new data normally without any time extension. Deficient, but upgradeable studies will normally be classified as supplemental. However, it is important to note that not all studies classified as supplemental are upgradeable. If you have questions regarding the classification of a study or whether a study may be upgraded, call or write the contact person listed in Attachment 1. If you submit data to upgrade an existing study you must satisfy or supply information to correct all deficiencies in the study identified by EPA. You must provide a clearly articulated rationale of how the deficiencies have been remedied or corrected and why the study should be rated as acceptable to EPA. Your submission must also specify the MRID number(s) of the study which you are attempting to upgrade and must be in conformance with PR Notice 86-5.

Do not submit additional data for the purpose of upgrading a study classified as unacceptable and determined by the Agency as not capable of being upgraded.

This option should also be used to cite data that has been previously submitted to upgrade a study, but has not yet been reviewed by the Agency. You must provide the MRID number of the data submission as well as the MRID number of the study being upgraded.

The criteria for submitting an existing study, as specified in Option 4 above, apply to all data submissions intended to upgrade studies. Additionally your submission of data intended to upgrade studies must be accompanied by a certification that you comply with each of those criteria as well as a certification regarding protocol compliance with Agency requirements.

Option 6, Citing Existing Studies -- If you choose to cite a study that has been previously submitted to EPA, that study must have been previously classified by EPA as acceptable or it must be a study which has not yet been reviewed by the Agency. Acceptable toxicology studies generally will have been classified as "core-guideline" or "core minimum." For all other disciplines the classification would be "acceptable." With respect to any studies for which you wish to select this option you must provide the MRID number of the study you are citing and, if the study has been reviewed by the Agency, you must provide the Agency's classification of the study.

If you are citing a study of which you are not the original data submitter, you must submit a completed copy of EPA Form 8570-31, Certification with Respect to Data Compensation Requirements.

Registrants who select one of the above 6 options must meet all of the requirements described in the instructions for completing the Data Call-In Response Form and the Requirements Status and Registrant's Response Form, as appropriate.

### III-D REQUESTS FOR DATA WAIVERS

If you request a waiver for product specific data because you believe it is inappropriate, you must attach a complete justification for the request, including technical reasons, data and references to relevant EPA regulations, guidelines or policies. (Note: any supplemental data must be submitted in the format required by PR Notice 86-5). This will be the only opportunity to state the reasons or provide information in support of your request. If the Agency approves your waiver request, you will not be required to supply the data pursuant to section 3(c)(2)(B) of FIFRA. If the Agency denies your waiver request, you must choose an option for meeting the data requirements of this Notice within 30 days of the receipt of the Agency's decision. You must indicate and submit the option chosen on the Requirements Status and Registrant's Response Form. Product specific data requirements for product chemistry, acute toxicity and efficacy (where appropriate) are required for all products and the Agency would grant a waiver only under extraordinary circumstances. You should also be aware that submitting a waiver request will not automatically extend the due date for the study in question. Waiver requests submitted without adequate supporting rationale will be denied and the original due date will remain in force.

### IV. CONSEQUENCES OF FAILURE TO COMPLY WITH THIS NOTICE

#### IV-A NOTICE OF INTENT TO SUSPEND

The Agency may issue a Notice of Intent to Suspend products subject to this Notice due to failure by a registrant to comply with the requirements of this Data Call-In Notice, pursuant to FIFRA section 3(c)(2)(B). Events which may be the basis for issuance of a Notice of Intent to Suspend include, but are not limited to, the following:

1. Failure to respond as required by this Notice within 90 days of your receipt of this Notice.
2. Failure to submit on the required schedule an acceptable proposed or final protocol when such is required to be submitted to the Agency for review.
3. Failure to submit on the required schedule an adequate progress report on a study as required by this Notice.
4. Failure to submit on the required schedule acceptable data as required by this Notice.
5. Failure to take a required action or submit adequate information pertaining to any option chosen to address the data requirements (e.g., any required action or information pertaining to submission or citation of existing studies or offers, arrangements, or arbitration on the sharing of costs or the formation of Task Forces, failure to comply with the terms of an agreement or arbitration concerning joint data development or failure to comply with any terms of a data waiver).
6. Failure to submit supportable certifications as to the conditions of submitted studies, as required by Section III-C of this Notice.
7. Withdrawal of an offer to share in the cost of developing required data.
8. Failure of the registrant to whom you have tendered an offer to share in the cost of developing data and provided proof of the registrant's receipt of such offer or failure of a registrant on whom you rely for a generic data exemption either to:



- a. inform EPA of intent to develop and submit the data required by this Notice on a Data Call-In Response Form and a Requirements Status and Registrant's Response Form;
  - b. fulfill the commitment to develop and submit the data as required by this Notice; or
  - c. otherwise take appropriate steps to meet the requirements stated in this Notice, unless you commit to submit and do submit the required data in the specified time frame.
9. Failure to take any required or appropriate steps, not mentioned above, at any time following the issuance of this Notice.

#### IV-B. BASIS FOR DETERMINATION THAT SUBMITTED STUDY IS UNACCEPTABLE

The Agency may determine that a study (even if submitted within the required time) is unacceptable and constitutes a basis for issuance of a Notice of Intent to Suspend. The grounds for suspension include, but are not limited to, failure to meet any of the following:

1. EPA requirements specified in the Data Call-In Notice or other documents incorporated by reference (including, as applicable, EPA Pesticide Assessment Guidelines, Data Reporting Guidelines, and GeneTox Health Effects Test Guidelines) regarding the design, conduct, and reporting of required studies. Such requirements include, but are not limited to, those relating to test material, test procedures, selection of species, number of animals, sex and distribution of animals, dose and effect levels to be tested or attained, duration of test, and, as applicable, Good Laboratory Practices.
2. EPA requirements regarding the submission of protocols, including the incorporation of any changes required by the Agency following review.
3. EPA requirements regarding the reporting of data, including the manner of reporting, the completeness of results, and the adequacy of any required supporting (or raw) data, including, but not limited to, requirements referenced or included in this Notice or contained in PR 86-5. All studies must be submitted in the form of a final report; a preliminary report will not be considered to fulfill the submission requirement.

#### IV-C EXISTING STOCKS OF SUSPENDED OR CANCELLED PRODUCTS

EPA has statutory authority to permit continued sale, distribution and use of existing stocks of a pesticide product which has been suspended or cancelled if doing so would be consistent with the purposes of the Act.

The Agency has determined that such disposition by registrants of existing stocks for a suspended registration when a section 3(c)(2)(B) data request is outstanding would generally not be consistent with the Act's purposes. Accordingly, the Agency anticipates granting registrants permission to sell, distribute, or use existing stocks of suspended product(s) only in exceptional circumstances. If you believe such disposition of existing stocks of your product(s) which may be suspended for failure to comply with this Notice should be permitted, you have the burden of clearly demonstrating to EPA that granting such permission would be consistent with the Act. You must also explain why an "existing stocks" provision is necessary, including a statement of the quantity of existing stocks and your estimate of the time required for their sale, distribution, and use. Unless you meet this burden the Agency will not consider any request pertaining to the continued sale, distribution, or use of your existing stocks after suspension.

If you request a voluntary cancellation of your product(s) as a response to this Notice and your product is in full compliance with all Agency requirements, you will have, under most circumstances, one year from the date your 90 day response to this Notice is due, to sell, distribute, or use existing stocks. Normally, the Agency will allow persons other than the registrant such as independent distributors, retailers and end users to sell, distribute or use such existing stocks until the stocks are exhausted. Any sale, distribution or use of stocks of voluntarily cancelled products containing an active ingredient for which the Agency has particular risk concerns will be determined on case-by-case basis.

Requests for voluntary cancellation received after the 90 day response period required by this Notice will not result in the Agency granting any additional time to sell, distribute, or use existing stocks beyond a year from the date the 90 day response was due unless you demonstrate to the Agency that you are in full compliance with all Agency requirements, including the requirements of this Notice. For example, if you decide to voluntarily cancel your registration six months before a 3 year study is scheduled to be submitted, all progress reports and other information necessary to establish that you have been conducting the study in an acceptable and good faith manner must have been submitted to the Agency, before EPA will consider granting an existing stocks provision.

#### SECTION V. REGISTRANTS' OBLIGATION TO REPORT POSSIBLE UNREASONABLE ADVERSE EFFECTS

Registrants are reminded that FIFRA section 6(a)(2) states that if at any time after a pesticide is registered a registrant has additional factual information regarding unreasonable adverse effects on the environment by the pesticide, the registrant shall submit the information to the Agency. Registrants must notify the Agency of any factual information they have, from whatever source, including but not limited to interim or preliminary results of studies, regarding unreasonable adverse effects on man or the environment. This requirement continues as long as the products are registered by the Agency.

#### SECTION VI. INQUIRIES AND RESPONSES TO THIS NOTICE

If you have any questions regarding the requirements and procedures established by this Notice, call the contact person(s) listed in Attachment 1, the Data Call-In Chemical Status Sheet.

All responses to this Notice (other than voluntary cancellation requests and generic data exemption claims) must include a completed Data Call-In Response Form and a completed Requirements Status and Registrant's Response Form (Attachment 2 and Attachment 3 for product specific data) and any other documents required by this Notice, and should be submitted to the contact person(s) identified in Attachment 1. If the voluntary cancellation or generic data exemption option is chosen, only the Data Call-In Response Form need be submitted.

The Office of Compliance Monitoring (OCM) of the Office of Pesticides and Toxic Substances (OPTS), EPA, will be monitoring the data being generated in response to this Notice.

Sincerely yours,

Peter Caulkins, Acting Director  
Special Review and  
Reregistration Division

## Attachments

- 1 - Data Call-In Chemical Status Sheet
- 2 - Product-Specific Data Call-In Response Form
- 3 - Requirements Status and Registrant's Response Form
- 4 - EPA Grouping of End-Use Products for Meeting Acute Toxicology Data Requirements for Reregistration
- 5 - EPA Acceptance Criteria
- 6 - List of Registrants Receiving This Notice
- 7 - Cost Share and Data Compensation Forms, and Product Specific Data Report Form



## **Attachment 1. Chemical Status Sheet**

## **(Z)-9-TRICOSENE DATA CALL-IN CHEMICAL STATUS SHEET**

### INTRODUCTION

You have been sent this Product Specific Data Call-In Notice because you have product(s) containing (Z)-9-Tricosene.

This Product Specific Data Call-In Chemical Status Sheet, contains an overview of data required by this notice, and point of contact for inquiries pertaining to the reregistration of (Z)-9-Tricosene. This attachment is to be used in conjunction with (1) the Product Specific Data Call-In Notice, (2) the Product Specific Data Call-In Response Form (Attachment 2), (3) the Requirements Status and Registrant's Form (Attachment 3), (4) EPA's Grouping of End-Use Products for Meeting Acute Toxicology Data Requirement (Attachment 4), (5) the EPA Acceptance Criteria (Attachment 5), (6) a list of registrants receiving this DCI (Attachment 6) and (7) the Cost Share and Data Compensation Forms in replying to this (Z)-9-Tricosene Product Specific Data Call-In (Attachment 7). Instructions and guidance accompany each form.

### DATA REQUIRED BY THIS NOTICE

The additional data requirements needed to complete the database for (Z)-9-Tricosene are contained in the Requirements Status and Registrant's Response, Attachment 3. The Agency has concluded that additional data on (Z)-9-Tricosene are needed for specific products. These data are required to be submitted to the Agency within the time frame listed. These data are needed to fully complete the reregistration of all eligible (Z)-9-Tricosene products.

### INQUIRIES AND RESPONSES TO THIS NOTICE

If you have any questions regarding the generic database of (Z)-9-Tricosene, please contact Tom Myers at (703) 308-8074.

If you have any questions regarding the product specific data requirements and procedures established by this Notice, please contact Franklin Gee at (703) 308-8008.

All responses to this Notice for the Product Specific data requirements should be submitted to:

Wanda Daughtry  
Chemical Review Manager Team 81  
Product Reregistration Branch  
Special Review and Reregistration Branch 7508W  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
Washington, D.C. 20460

**RE: (Z)-9-Tricosene**

**Attachment 2. Product Specific Data Call-In Response  
Forms (Form A inserts) Plus Instructions**





INSTRUCTIONS FOR COMPLETING THE **DATA CALL-IN RESPONSE FORM FOR  
PRODUCT SPECIFIC DATA**

- Item 1-4. Already completed by EPA.
- Item 5. If you wish to **voluntarily cancel** your product, answer "**yes.**" If you choose this option, you will not have to provide the data required by the Data Call-In Notice and you will not have to complete any other forms. Further sale and distribution of your product after the effective date of cancellation must be in accordance with the Existing Stocks provision of the Data Call-In Notice (Section IV-C).
- Item 6. Not applicable since this form calls in product specific data only. However, if your product is **identical** to another product and you qualify for a **data exemption**, you must respond with "**yes**" to Item 7a (MUP) or 7B (EUP) on this form, provide the **EPA registration numbers of your source(s)**; you would **not** complete the "Requirements Status and Registrant's Response" form. Examples of such products include **repackaged** products and **Special Local Needs (Section 24c)** products which are identical to federally registered products.
- Item 7a. For each **manufacturing use product** (MUP) for which you wish to maintain registration, you must agree to satisfy the data requirements by responding "**yes.**"
- Item 7b. For each **end use product** (EUP) for which you wish to maintain registration, you must agree to satisfy the data requirements by responding "**yes.**" If you are requesting a **data waiver**, answer "**yes**" here; in addition, on the "Requirements Status and Registrant's Response" form under Item 9, you must respond with **Option 7** (Waiver Request) for each study for which you are requesting a waiver. See Item 6 with regard to identical products and data exemptions.
- Items 8-11. Self-explanatory.

**NOTE:** You may provide **additional information** that does not fit on this form in a signed letter that accompanies this form. For example, you may wish to report that your product has already been transferred to another company or that you have already voluntarily canceled this product. For these cases, please supply all relevant details so that EPA can ensure that its records are correct.

**INSTRUCTIONS FOR COMPLETING THE REQUIREMENTS STATUS AND  
REGISTRANT'S RESPONSE FORM FOR PRODUCT SPECIFIC DATA**

- Item 1-3      Completed by EPA. Note the **unique identifier number** assigned by EPA in Item 3. This number **must be used in the transmittal document for any data submissions** in response to this Data Call-In Notice.
- Item 4.        The guideline reference numbers of studies required to support the product's continued registration are identified. These guidelines, in addition to the requirements specified in the Notice, govern the conduct of the required studies. Note that series 61 and 62 in product chemistry are now listed under 40 CFR 158.155 through 158.180, Subpart C.
- Item 5.        The study title associated with the guideline reference number is identified.
- Item 6.        The use pattern(s) of the pesticide associated with the product specific requirements is (are) identified. For most product specific data requirements, all use patterns are covered by the data requirements. In the case of efficacy data, the required studies only pertain to products which have the use sites and/or pests indicated.
- Item 7.        The substance to be tested is identified by EPA. For product specific data, the product as formulated for sale and distribution is the test substance, except in rare cases.
- Item 8.        The due date for submission of each study is identified. It is normally based on **8 months after issuance of the Reregistration Eligibility Document** unless EPA determines that a longer time period is necessary.
- Item 9.        **Enter only one of the following response codes for each data requirement to show how you intend to comply with the data requirements listed in this table.** Fuller descriptions of each option are contained in the Data Call-In Notice.
1.            I will generate and submit data by the specified due date (**Developing Data**). By indicating that I have chosen this option, I certify that I will comply with all the requirements pertaining to the conditions for submittal of this study as outlined in the Data Call-In Notice. By the specified due date, I will also submit: (1) a completed "**Certification With Respect To Data Compensation Requirements**" form (EPA Form 8570-29) and (2) two completed and signed copies of the **Confidential Statement of Formula (EPA Form 8570-4)**.
  2.            I have entered into an agreement with one or more registrants to develop data jointly (**Cost Sharing**). I am submitting a **copy of this agreement**. I understand that this option is available **only** for acute toxicity or certain efficacy data and **only** if EPA indicates in an attachment to this Notice that my product is similar enough to another product to qualify for this option. I certify that another party in the agreement is committing to submit or provide the required data; if the required study is not submitted on time, my product may be subject to suspension. By the specified due date, I will also submit: (1) a completed "**Certification With Respect To Data Compensation Requirements**" form (EPA Form 8570-29) and (2) two completed and signed copies of the **Confidential Statement of Formula (EPA Form 8570-4)**.
  3.            I have made offers to share in the cost to develop data (**Offers to Cost Share**). I understand that this option is available **only** for acute toxicity or certain efficacy data and **only** if EPA indicates in an attachment to this Data Call-In Notice that my product is similar enough to another product to qualify for this option. I am submitting **evidence that I have made an offer** to another registrant (who has an obligation to submit data) to share in the cost of that data. I am also submitting a completed

**"Certification of Offer to Cost Share in the Development Data" form.** I am including a copy of my offer and proof of the other registrant's receipt of that offer. I am identifying the party which is committing to submit or provide the required data; if the required study is not submitted on time, my product may be subject to suspension. I understand that other terms under Option 3 in the Data Call-In Notice (Section III-C.1.) apply as well. By the specified due date, I will also submit: (1) a completed **"Certification With Respect To Data Compensation Requirements" form (EPA Form 8570-29)** and (2) two completed and signed copies of the **Confidential Statement of Formula (EPA Form 8570-4)**.

4. By the specified due date, I will submit an existing study that has not been submitted previously to the Agency by anyone (**Submitting an Existing Study**). I certify that this study will meet all the requirements for submittal of existing data outlined in Option 4 in the Data Call-In Notice (Section III-C.1.) and will meet the attached acceptance criteria (for acute toxicity and product chemistry data). I will attach the needed supporting information along with this response. I also certify that I have determined that this study will fill the data requirement for which I have indicated this choice. By the specified due date, I will also submit a completed **"Certification With Respect To Data Compensation Requirements" form (EPA Form 8570-29)** to show what data compensation option I have chosen. By the specified due date, I will also submit: (1) a completed **"Certification With Respect To Data Compensation Requirements" form (EPA Form 8570-29)** and (2) two completed and signed copies of the **Confidential Statement of Formula (EPA Form 8570-4)**.
5. By the specified due date, I will submit or cite data to upgrade a study classified by the Agency as partially acceptable and upgradable (**Upgrading a Study**). I will submit **evidence of the Agency's review** indicating that the study may be upgraded and what information is required to do so. I will provide the MRID or Accession number of the study at the due date. I understand that the conditions for this option outlined Option 5 in the Data Call-In Notice (Section III-C.1.) apply. By the specified due date, I will also submit: (1) a completed **"Certification With Respect To Data Compensation Requirements" form (EPA Form 8570-29)** and (2) two completed and signed copies of the **Confidential Statement of Formula (EPA Form 8570-4)**.
6. By the specified due date, I will cite an existing study that the Agency has classified as acceptable or an existing study that has been submitted but not reviewed by the Agency (**Citing an Existing Study**). If I am citing another registrant's study, I understand that this option is available **only** for acute toxicity or certain efficacy data and **only** if the cited study was conducted on my product, an identical product or a product which EPA has "grouped" with one or more other products for purposes of depending on the same data. I may also choose this option if I am citing my own data. In either case, I will provide the **MRID or Accession number(s)** for the cited data on a "Product Specific Data Report" form or in a similar format. By the specified due date, I will also submit: (1) a completed **"Certification With Respect To Data Compensation Requirements" form (EPA Form 8570-29)** and (2) two completed and signed copies of the **Confidential Statement of Formula (EPA Form 8570-4)**.
7. I request a waiver for this study because it is inappropriate for my product (**Waiver Request**). I am attaching a complete justification for this request, including technical reasons, data and references to relevant EPA regulations, guidelines or policies. [Note: any supplemental data must be submitted in the format required by P.R. Notice 86-5]. I understand that this is my **only** opportunity to state the reasons or provide information in support of my request. If the Agency approves my waiver request, I will **not** be required to supply the data pursuant to Section 3(c)(2)(B) of FIFRA. If the Agency denies my waiver request, I **must choose** a method of meeting the data

requirements of this Notice by the due date stated by this Notice. In this case, I must, within **30 days** of my receipt of the Agency's written decision, submit a revised "Requirements Status and Registrant's Response" Form indicating the option chosen. I also understand that the deadline for submission of data as specified by the original data call-in notice will not change. By the specified due date, I will also submit: (1) a completed "**Certification With Respect To Data Compensation Requirements**" form (EPA Form 8570-29) and (2) two completed and signed copies of the **Confidential Statement of Formula (EPA Form 8570-4)**.

Items 10-13. Self-explanatory.

**NOTE:** You may provide **additional information** that does not fit on this form in a signed letter that accompanies this form. For example, you may wish to report that your product has already been transferred to another company or that you have already voluntarily canceled this product. For these cases, please supply all relevant details so that EPA can ensure that its records are correct.

**Attachment 3. Product Specific Requirement Status and  
Registrant's Response Forms (Form B inserts) and  
Instructions**



## **INSTRUCTIONS FOR COMPLETING THE "REQUIREMENTS STATUS AND REGISTRANT'S RESPONSE" FORM FOR PRODUCT SPECIFIC DATA**

- Item 1-3. Completed by EPA. Note the unique identifier number assigned by EPA in item 3. This number must be used in the transmittal document for any data submissions in response to this Data Call-In Notice.
- Item 4. The guidelines reference numbers of studies required to support the product's continued registration are identified. These guidelines, in addition to the requirements specified in the Notice, govern the conduct of the required studies. Note that series 61 and 62 in product chemistry are now listed under 40 CFR 158.155 through 158.180, Subpart c.
- Item 5. The study title associated with the guideline reference number is identified.
- Item 6. The use patterns (s) of the pesticide associated with the product specific requirements is (are) identified. For most product specific data requirements, all use patterns are covered by the data requirements. In the case of efficacy data, the required studies only pertain to products which have the use sites and/ or pests indicated.
- Item 7. The substance to be tested is identified by EPA. For product specific data, the product as formulated for sale and distribution is the test substance, except in rare cases.
- Item 8. The due date for submission of each study is identified. It is normally based on 8 months after issuance of the Reregistration Eligibility Documents unless EPA determines that a longer time period is necessary.
- Item 9. Enter Only one of the following response codes for each data requirement to show how you intend to comply with the data requirements listed in this table. Fuller descriptions of each option are contained in the Data Call-In Notice.
1. I will generate and submit data by the specified due date (Developing Data). By indicating that I have chosen this option, I certify that I will comply with all the requirements pertaining to the conditions for submittal of this study as outlined in the Data Call-In Notice.
  2. I have entered into an agreement with one or more registrants to develop data jointly (Cost Sharing). I am submitting a copy of this agreement. I understand that this option is available only for acute toxicity or certain efficacy data and only if EPA indicates in an attachment to this notice that my product is similar enough to another product to qualify for this option. I certify that another party in the agreement is committing to submit or provide the required data; if the required study is not submitted on time, my product may be subject to suspension.
  3. I have made offers to share in the cost to develop data (Offers to Cost Share). I understand that this option is available only for acute toxicity or certain efficacy data and only if EPA indicates in an attachment to this Data Call-In Notice that my product is similar enough to another product to qualify for this option. I am submitting evidence that I have made an offer to another registrant (who has an obligation to submit data) to share in the cost of that data. I am also submitting a completed "Certification of offer to Cost Share in the Development Data" form. I am including a copy of my offer and proof of the other registrant's receipt of that offer. I am identifying the party which is committing to submit or provide the required data; if the required study is not submitted on time, my product may be subject to suspension. I understand that other terms under Option 3 in the Data Call-In Notice (Section III-C.1.) apply as well.

4. By the specified due date, I will submit an existing study that has not been submitted previously to the Agency by anyone (submitting an Existing Study). I certify that this study will meet all the requirements for submittal of existing data outlined in option 4 in the Data Call-In Notice (Section III-C.1.) and will meet the attached acceptance criteria (for acute toxicity and product chemistry data). I will attach the needed supporting information along with this response. I also certify that I have determined that this study will fill the data requirement for which I have indicated this choice.

5. By the specified due date, I will submit or cite data to upgrade a study classified by the Agency as partially acceptable and upgrade (upgrading a study). I will submit evidence of the Agency's review indicating that the study may be upgraded and what information is required to do so. I will provide the MRID or Accession number of the study at the due date. I understand that the conditions for this Option outlined Option 5 in the Data Call-In Notice (Section III-C.1.) apply.

6. By the specified due date, I will cite an existing study that the Agency has classified as acceptable or an existing study that has been submitted but not reviewed by the Agency (Citing an Existing Study). If I am citing another registrant's study, I understand that this option is available only for acute toxicity or certain efficacy data and only if the cited study was conducted on my product, an identical product or a product which EPA has "grouped" with one or more other products for purposes of depending on the same data. I may also choose this option if I am citing my own data. In either case, I will provide the MRID or Accession number (s) number (s) for the cited data on a "Product Specific Data Report" form or in a similar format. If I cite another registrant's data, I will submit a completed "Certification With Respect To Data Compensation Requirements" form.

7. I request a waiver for this study because it is inappropriate for my product (Waiver Request). I am attaching a complete justification for this request, including technical reasons, data and references to relevant EPA regulations, guidelines or policies. [Note: any supplemental data must be submitted in the format required by P.R. Notice 86-5]. I understand that this is my only opportunity to state the reasons or provide information in support of my request. If the Agency approves my waiver request, I will not be required to supply the data pursuant to Section 3(c) (2) (B) of FIFRA. If the Agency denies my waiver request, I must choose a method of meeting the data requirements of this Notice by the due date stated by this Notice. In this case, I must, within 30 days of my receipt of the Agency's written decision, submit a revised "Requirements Status chosen. I also understand that the deadline for submission of data as specified by the original data call-in notice will not change.

Items 10-13. Self-explanatory.

**NOTE:** You may provide additional information that does not fit on this form in a signed letter that accompanies this form. For example, you may wish to report that your product has already been transferred to another company or that you have already voluntarily cancelled this product. For these cases, please supply all relevant details so that EPA can ensure that its records are correct.



**Attachment 4. EPA Batching of End-Use Products for Meeting Data Requirements for Reregistration**



**EPA'S DECISION ON BATCHING PRODUCTS CONTAINING MUSCALURE FOR PURPOSES OF MEETING ACUTE TOXICITY DATA REQUIREMENTS FOR REREGISTRATION**

In an effort to reduce the time, resources and number of animals needed to fulfill the acute toxicity data requirements for reregistration of products containing the active ingredient muscalure the Agency considered batching products. This process involves grouping similar products for purposes of acute toxicity. Factors considered in the sorting process include each product's active and inert ingredients (identity, percent composition and biological activity), type of formulation (e.g., emulsifiable concentrate, aerosol, wettable powder, granular, etc.), and labeling (e.g., signal word, use classification, precautionary labeling, etc.). Note that the Agency is not describing batched products as "substantially similar" since some products within a batch may not be considered chemically similar or have identical use patterns.

Using available information, batching has been accomplished by the process described in the preceding paragraph. Acute toxicity data on individual products has frequently been found to be incomplete. Notwithstanding the batching process, the Agency reserves the right to require, at any time, acute toxicity data for an individual product should the need arise.

Registrants of products within a batch may choose to cooperatively generate, submit or cite a single battery of six acute toxicological studies to represent all the products within that batch. It is the registrants' option to participate in the process with all other registrants, only some of the other registrants, or only their own products within a batch, or to generate all the required acute toxicological studies for each of their own products. If a registrant chooses to rely upon previously submitted acute toxicity data, he/she may do so provided that the data base is complete and valid by today's standards (see acceptance criteria attached), the formulation tested is considered by EPA to be similar for acute toxicity, and the formulation has not been significantly altered since submission and acceptance of the acute toxicity data. Regardless of whether new data is generated or existing data is cited, the registrant must clearly identify the material tested by its EPA registration number. If more than one Confidential Statement of Formula (CSF) exists for a product, the registrant must indicate the formulation actually tested by identifying the corresponding CSF.

In deciding how to meet the product specific data requirements, registrants must follow the directions given in the Data Call-In Notice and its attachments appended to the RED. The DCI Notice contains two response forms which are to be completed and submitted to the Agency within 90 days of receipt. The first form, "Data Call-In Response", asks whether the registrant will meet the data requirements for each product. The second form, "Requirements Status and Registrant's Response", lists the product specific data required for each product, including the standard six acute toxicity tests. A registrant who wishes to participate in a batch must decide whether he/she will provide the data or depend on someone else to do so. If a registrant supplies the data to support a batch of products, he/she must select one of the following options: Developing Data (Option 1), Submitting an Existing Study (Option 4), Upgrading an Existing Study (Option 5), or Citing an Existing Study (Option 6). If a registrant depends on another's data, he/she must choose among: Cost Sharing (Option 2), Offers to Cost Share (Option 3) or Citing an Existing Study (Option 6). If a registrant does not want to participate in a batch, the choices are Options 1, 4, 5 or 6. However, a registrant should know that choosing not to participate in a batch does not preclude other registrants in the batch from citing his/her studies and offering to cost share (Option 3) those studies.

Table I lists 2 batches.

Batch No.	EPA Reg. No.	% of Muscalure & other Active Ingredients	Formulation Type
1	270-112	93.48	liquid
	7319-5	99.7	liquid
	52991-4	93.46	liquid
2	270-255	0.025 1.00 Methomyl	bait
	2724-274	0.025 1.00 Methomyl	bait
	2724-296	0.025 1.00 Methomyl	bait tray
	53871-3	0.025 1.00 Methomyl	bait
	AZ90000700	0.025 1.00 Methomyl	bait

Table II lists the products which could not be batched. For the purposes of acute toxicity batching, these products were not considered similar, or their similarity could not be determined with the information available. The registrants of these products are responsible for meeting the acute toxicity data requirements specified in the data matrix for end-use products.

Table II.

EPA Reg. No.	% of Methomyl & other Active Ingredients	Formulation Type
1203-69	0.026 1.127 Methomyl	crystalline
34473-2	3.57	impregnated material
11715-210	0.048	granules
11715-214	0.076	impregnated material
64296-1	0.03 1.19 Metarhizium anisopliae	impregnated material

## **Attachment 5. EPA Acceptance Criteria**



## **SUBDIVISION D**

<b>Guideline</b>	<b>Study Title</b>
Series 61	Product Identity and Composition
Series 62	Analysis and Certification of Product Ingredients
Series 63	Physical and Chemical Characteristics

## 61 Product Identity and Composition

### ACCEPTANCE CRITERIA

Does your study meet the following acceptance criteria?

1. \_\_\_ Name of technical material tested (include product name and trade name, if appropriate).
2. \_\_\_ Name, nominal concentration, and certified limits (upper and lower) for each active ingredient and each intentionally-added inert ingredient.
3. \_\_\_ Name and upper certified limit for each impurity or each group of impurities present at  $> 0.1\%$  by weight and for certain toxicologically significant impurities (e.g., dioxins, nitrosamines) present at  $< 0.1\%$ .
4. \_\_\_ Purpose of each active ingredient and each intentionally-added inert.
5. \_\_\_ Chemical name from Chemical Abstracts index of Nomenclature and Chemical Abstracts Service (CAS) Registry Number for each active ingredient and, if available, for each intentionally-added inert.
6. \_\_\_ Molecular, structural, and empirical formulas, molecular weight or weight range, and any company assigned experimental or internal code numbers for each active ingredient.
7. \_\_\_ Description of each beginning material in the manufacturing process.
  - \_\_\_ EPA Registration Number if registered;
  - \_\_\_ for other beginning materials, the following:
    - \_\_\_ Name and address of manufacturer or supplier.
    - \_\_\_ Brand name, trade name or commercial designation.
    - \_\_\_ Technical specifications or data sheets by which manufacturer or supplier describes composition, properties or toxicity.
8. \_\_\_ Description of manufacturing process.
  - \_\_\_ Statement of whether batch or continuous process.
  - \_\_\_ Relative amounts of beginning materials and order in which they are added.
  - \_\_\_ Description of equipment.
  - \_\_\_ Description of physical conditions (temperature, pressure, humidity) controlled in each step and the parameters that are maintained.
  - \_\_\_ Statement of whether process involves intended chemical reactions.
  - \_\_\_ Flow chart with chemical equations for each intended chemical reaction.
  - \_\_\_ Duration of each step of process.
  - \_\_\_ Description of purification procedures.
  - \_\_\_ Description of measures taken to assure quality of final product.
9. \_\_\_ Discussion of formation of impurities based on established chemical theory addressing (1) each impurity which may be present at  $> 0.1\%$  or was found at  $\geq 0.1\%$  by product analyses and (2) certain toxicologically significant impurities (see #3).



## 62 Analysis and Certification of Product Ingredients

### ACCEPTANCE CRITERIA

The following criteria apply to the technical grade of the active ingredient being reregistered. Use a table to present the information in items 6, 7, and 8.

Does your study meet the following acceptance criteria?

1. \_\_\_ Five or more representative samples (batches in case of batch process) analyzed for each active ingredient and all impurities present at  $> 0.1\%$ .
2. \_\_\_ Degree of accountability or closure  $> ca 98\%$ .
3. \_\_\_ Analyses conducted for certain trace toxic impurities at lower than  $0.1\%$  (examples, nitrosamines in the case of products containing dinitroanilines or containing secondary or tertiary amines/alkanolamines plus nitrites; polyhalogenated dibenzodioxins and dibenzofurans). [Note that in the case of nitrosamines both fresh and stored samples must be analyzed.]
4. \_\_\_ Complete and detailed description of each step in analytical method used to analyze above samples.
5. \_\_\_ Statement of precision and accuracy of analytical method used to analyze above samples.
6. \_\_\_ Identities and quantities (including mean and standard deviation) provided for each analyzed ingredient.
7. \_\_\_ Upper and lower certified limits proposed for each active ingredient and intentionally added inert along with explanation of how the limits were determined.
8. \_\_\_ Upper certified limit proposed for each impurity present at  $\geq 0.1\%$  and for certain toxicologically significant impurities at  $< 0.1\%$  along with explanation of how limit determined.
9. \_\_\_ Analytical methods to verify certified limits of each active ingredient and impurities (latter not required if exempt from requirement of tolerance or if generally recognized as safe by FDA) are fully described.
10. \_\_\_ Analytical methods (as discussed in #9) to verify certified limits validated as to their precision and accuracy.

## 63 Physical and Chemical Characteristics

### ACCEPTANCE CRITERIA

The following criteria apply to the technical grade of the active ingredient being reregistered.

Does your study meet the following acceptance criteria?

#### 63-2 Color

- Verbal description of coloration (or lack of it)
- Any intentional coloration also reported in terms of Munsell color system

#### 63-3 Physical State

- Verbal description of physical state provided using terms such as "solid, granular, volatile liquid"
- Based on visual inspection at about 20-25° C

#### 63-4 Odor

- Verbal description of odor (or lack of it) using terms such as "garlic-like, characteristic of aromatic compounds"
- Observed at room temperature

#### 63-5 Melting Point

- Reported in °C
- Any observed decomposition reported

#### 63-6 Boiling Point

- Reported in °C
- Pressure under which B.P. measured reported
- Any observed decomposition reported

#### 63-7 Density, Bulk Density, Specific Gravity

- Measured at about 20-25° C
- Density of technical grade active ingredient reported in g/ml or the specific gravity of liquids reported with reference to water at 20° C. [Note: Bulk density of registered products may be reported in lbs/ft<sup>3</sup> or lbs/gallon.]

#### 63-8 Solubility

- Determined in distilled water and representative polar and non-polar solvents, including those used in formulations and analytical methods for the pesticide
- Measured at about 20-25° C
- Reported in g/100 ml (other units like ppm acceptable if sparingly soluble)

#### 63-9 Vapor Pressure

- Measured at 25° C (or calculated by extrapolation from measurements made at higher temperature if pressure too low to measure at 25° C)
- Experimental procedure described
- Reported in mm Hg (torr) or other conventional units

#### 63-10 Dissociation Constant

- Experimental method described
- Temperature of measurement specified (preferably about 20-25° C)

#### 63-11 Octanol/water Partition Coefficient

- Measured at about 20-25° C
- Experimentally determined and description of procedure provided (preferred method-45 Fed. Register 77350)
- Data supporting reported value provided

#### 63-12 pH

- Measured at about 20-25° C
- Measured following dilution or dispersion in distilled water

#### 63-13 Stability

- Sensitivity to metal ions and metal determined
- Stability at normal and elevated temperatures
- Sensitivity to sunlight determined

## **SUBDIVISION F**

<u>Guideline</u>	<u>Study Title</u>
81-1	Acute Oral Toxicity in the Rat
81-2	Acute Dermal Toxicity in the Rat, Rabbit or Guinea Pig
81-3	Acute Inhalation Toxicity in the Rat
81-4	Primary Eye Irritation in the Rabbit
81-5	Primary Dermal Irritation Study
81-6	Dermal Sensitization in the Guinea Pig

## 81-1 Acute Oral Toxicity in the Rat

### ACCEPTANCE CRITERIA

Does your study meet the following acceptance criteria?

1. \_\_\_ Identify material tested (technical, end-use product, etc).
2. \_\_\_ At least 5 young adult rats/sex/group.
3. \_\_\_ Dosing, single oral may be administered over 24 hrs.
4. \_\_\_ Vehicle control if other than water.
5. \_\_\_ Doses tested, sufficient to determine a toxicity category or a limit dose (5000 mg/kg).
6. \_\_\_ Individual observations at least once a day.
7. \_\_\_ Observation period to last at least 14 days, or until all test animals appear normal whichever is longer.
8. \_\_\_ Individual daily observations.
9. \_\_\_ Individual body weights.
10. \_\_\_ Gross necropsy on all animals.

Criteria marked with an \* are supplemental and may not be required for every study.

## 81-2 Acute Dermal toxicity in the Rat, Rabbit or Guinea Pig

### ACCEPTANCE CRITERIA

Does your study meet the following acceptance criteria?

1.  Identify material tested (technical, end-use product, etc).
2.  At least 5 animals/sex/group.
3. \*  Rats 200-300 gm, rabbits 2.0-3.0 kg or guinea pigs 350-450 gm.
4.  Dosing, single dermal.
5.  Dosing duration at least 24 hours.
6. \*  Vehicle control, only if toxicity of vehicle is unknown.
7.  Doses tested, sufficient to determine a toxicity category or a limit dose (2000 mg/kg).
8.  Application site clipped or shaved at least 24 hours before dosing.
9.  Application site at least 10% of body surface area.
10.  Application site covered with a porous nonirritating cover to retain test material and to prevent ingestion.
11.  Individual observations at least once a day.
12.  Observation period to last at least 14 days.
13.  Individual body weights.
14.  Gross necropsy on all animals.

Criteria marked with an \* are supplemental and may not be required for every study.

### 81-3 Acute Inhalation Toxicity in the Rat

#### ACCEPTANCE CRITERIA

Does your study meet the following acceptance criteria?

1. \_\_\_ Identify material tested (technical, end-use product, etc).
2. \_\_\_ Product is a gas, a solid which may produce a significant vapor hazard based on toxicity and expected use or contains particles of inhalable size for man (aerodynamic diameter 15  $\mu\text{m}$  or less).
3. \_\_\_ At least 5 young adult rats/sex/group.
4. \_\_\_ Dosing, at least 4 hours by inhalation.
5. \_\_\_ Chamber air flow dynamic, at least 10 air changes/hour, at least 19% oxygen content.
6. \_\_\_ Chamber temperature, 22° C (+ 2°), relative humidity 40-60%.
7. \_\_\_ Monitor rate of air flow.
8. \_\_\_ Monitor actual concentrations of test material in breathing zone.
9. \_\_\_ Monitor aerodynamic particle size for aerosols.
10. \_\_\_ Doses tested, sufficient to determine a toxicity category or a limit dose (5 mg/L actual concentration of respirable substance).
11. \_\_\_ Individual observations at least once a day.
12. \_\_\_ Observation period to last at least 14 days.
13. \_\_\_ Individual body weights.
14. \_\_\_ Gross necropsy on all animals.

## 81-4 Primary Eye Irritation in the Rabbit

### ACCEPTANCE CRITERIA

Does your study meet the following acceptance criteria?

1. \_\_\_ Identify material tested (technical, end-use product, etc).
2. \_\_\_ Study not required if material is corrosive, causes severe dermal irritation or has a pH of  $\leq 2$  or  $\geq 11.5$ .
3. \_\_\_ 6 adult rabbits.
4. \_\_\_ Dosing, instillation into the conjunctival sac of one eye per animal.
5. \_\_\_ Dose, 0.1 ml if a liquid; 0.1 ml or not more than 100 mg if a solid, paste or particulate substance.
6. \_\_\_ Solid or granular test material ground to a fine dust.
7. \_\_\_ Eyes not washed for at least 24 hours.
8. \_\_\_ Eyes examined and graded for irritation before dosing and at 1, 24, 48 and 72 hr, then daily until eyes are normal or 21 days (whichever is shorter).
- 9.\* \_\_\_ Individual daily observations.

Criteria marked with an \* are supplemental and may not be required for every study.

## 81-5 Primary Dermal Irritation Study

### ACCEPTANCE CRITERIA

Does your study meet the following acceptance criteria?

1. \_\_\_ Identify material tested (technical, end-use product, etc).
2. \_\_\_ Study not required if material is corrosive or has a pH of  $\leq 2$  or  $\geq 11.5$ .
3. \_\_\_ 6 adult animals.
4. \_\_\_ Dosing, single dermal.
5. \_\_\_ Dosing duration 4 hours.
6. \_\_\_ Application site shaved or clipped at least 24 hours prior to dosing.
7. \_\_\_ Application site approximately 6 cm<sup>2</sup>.
8. \_\_\_ Application site covered with a gauze patch held in place with nonirritating tape.
9. \_\_\_ Material removed, washed with water, without trauma to application site.
10. \_\_\_ Application site examined and graded for irritation at 1, 24, 48 and 72 hr, then daily until normal or 14 days (whichever is shorter).
- 11.\* \_\_\_ Individual daily observations.

Criteria marked with an \* are supplemental and may not be required for every study.



## 81-6 Dermal Sensitization in the Guinea Pig

### ACCEPTANCE CRITERIA

Does your study meet the following acceptance criteria?

1.  Identify material tested (technical, end-use product, etc).
2.  Study not required if material is corrosive or has a pH of < 2 or > 11.5.
3.  One of the following methods is utilized:
  - Freund's complete adjuvant test
  - Guinea pig maximization test
  - Split adjuvant technique
  - Buehler test
  - Open epicutaneous test
  - Mauer optimization test
  - Footpad technique in guinea pig.
4.  Complete description of test.
5. \*  Reference for test.
6.  Test followed essentially as described in reference document.
7.  Positive control included (may provide historical data conducted within the last 6 months).

Criteria marked with an \* are supplemental and may not be required for every study.



**Attachment 6. List of All Registrants Sent This Data Call-In (insert) Notice**



**Attachment 7. Cost Share Data Compensation Forms, Confidential Statement  
of Formula Form and Instructions**





United States Environmental Protection Agency  
Office of Pesticide Programs (TS-767)  
Washington, DC 20460

**Confidential Statement of Formula**

A.  Basic Formulation  
 Alternate Formulation

B. Page of

See Instructions on Back

1. Name and Address of Applicant/Registrant (Include ZIP Code)		2. Name and Address of Producer (Include ZIP Code)	
3. Product Name		4. Registration No./File Symbol	5. EPA Product Mgr./Team No.
		7. Pounds/Gal or Bulk Density	8. pH
10. Components in Formulation (List as actually introduced into the formulation. Give commonly accepted chemical name, trade name, and CAS number.)		11. Supplier Name & Address	12. EPA Reg. No.
EPA USE ONLY		13. Each Component in Formulation a. Amount	14. Certified Limits % by Weight a. Upper Limit b. Lower Limit
			15. Purpose in Formulation
			6. Country Where Formulated
			9. Flash Point/Flame Extension
16. Typed Name of Approving Official		17. Total Weight	100%
18. Signature of Approving Official		19. Title	
		20. Phone No. (Include Area Code)	
		21. Date	





### ***Instructions for Completing the Confidential Statement of Formula***

The Confidential Statement of Formula (CSF) Form 8570-4 must be used. Two legible, signed copies of the form are required. Following are basic instructions:

- a. All the blocks on the form must be filled in and answered completely.
- b. If any block is not applicable, mark it N/A.
- c. The CSF must be signed, dated and the telephone number of the responsible party must be provided.
- d. All applicable information which is on the product specific data submission must also be reported on the CSF.
- e. All weights reported under item 7 must be in pounds per gallon for liquids and pounds per cubic feet for solids.
- f. Flashpoint must be in degrees Fahrenheit and flame extension in inches.
- g. For all active ingredients, the EPA Registration Numbers for the currently registered source products must be reported under column 12.
- h. The Chemical Abstracts Service (CAS) Numbers for all actives and inerts and all common names for the trade names must be reported.
- i. For the active ingredients, the percent purity of the source products must be reported under column 10 and must be exactly the same as on the source product's label.
- j. All the weights in columns 13.a. and 13.b. must be in pounds, kilograms, or grams. In no case will volumes be accepted. Do not mix English and metric system units (i.e., pounds and kilograms).
- k. All the items under column 13.b. must total 100 percent.
- l. All items under columns 14.a. and 14.b. for the active ingredients must represent pure active form.
- m. The upper and lower certified limits for all active and inert ingredients must follow the 40 CFR 158.175 instructions. An explanation must be provided if the proposed limits are different than standard certified limits.
- n. When new CSFs are submitted and approved, all previously submitted CSFs become obsolete for that specific formulation.





United States Environmental Protection Agency  
Washington, DC 20460

**CERTIFICATION OF OFFER TO COST  
SHARE IN THE DEVELOPMENT OF DATA**

Form Approved

OMB No. 2070-0106  
2070-0057

Approval Expires 3-31-96

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M St., S.W., Washington, DC 20460; and to the Office of Management and Budget, Paperwork Reduction Project (2070-0106), Washington, DC 20503.

Please fill in blanks below.

Company Name	Company Number
Product Name	EPA Reg. No.

I Certify that:

My company is willing to develop and submit the data required by EPA under the authority of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), if necessary. However, my company would prefer to enter into an agreement with one or more registrants to develop jointly or share in the cost of developing data.

My firm has offered in writing to enter into such an agreement. That offer was irrevocable and included an offer to be bound by arbitration decision under section 3(c)(2)(B)(iii) of FIFRA if final agreement on all terms could not be reached otherwise. This offer was made to the following firm(s) on the following date(s):

Name of Firm(s)	Date of Offer
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Certification:

I certify that I am duly authorized to represent the company named above, and that the statements that I have made on this form and all attachments therein are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Signature of Company's Authorized Representative	Date
Name and Title (Please Type or Print)	





**CERTIFICATION WITH RESPECT TO  
DATA COMPENSATION REQUIREMENTS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to, Chief Information Policy Branch, PM-233, U.S. Environmental Protection Agency, 401 M St., S.W., Washington, DC 20460; and to the Office of Management and Budget, Paperwork Reduction Project (2070-0106), Washington, DC 20503.

**Please fill in blanks below.**

Company Name	Company Number
Product Name	EPA Reg. No.

**I Certify that:**

1. For each study cited in support of registration or reregistration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) that is an exclusive use study, I am the original data submitter, or I have obtained the written permission of the original data submitter to cite that study.
2. That for each study cited in support of registration or reregistration under FIFRA that is NOT an exclusive use study, I am the original data submitter, or I have obtained the written permission of the original data submitter, or I have notified in writing the company(ies) that submitted data I have cited and have offered to: (a) Pay compensation for those data in accordance with sections 3(c)(1)(F) and 3(c)(2)(D) of FIFRA; and (b) Commence negotiation to determine which data are subject to the compensation requirement of FIFRA and the amount of compensation due, if any. The companies I have notified are. (check one)

The companies who have submitted the studies listed on the back of this form or attached sheets, or indicated on the attached "Requirements Status and Registrants' Response Form,"

3. That I have previously complied with section 3(c)(1)(F) of FIFRA for the studies I have cited in support of registration or reregistration under FIFRA.

Signature	Date
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Name and Title (Please Type or Print)

**GENERAL OFFER TO PAY:** I hereby offer and agree to pay compensation to other persons, with regard to the registration or reregistration of my products, to the extent required by FIFRA section 3(c)(1)(F) and 3(c)(2)(D).

Signature	Date
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Name and Title (Please Type or Print)



## **APPENDIX H. FACT SHEET**







# R.E.D. FACTS

## **(Z)-9-Tricosene**

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### **Pesticide Reregistration**

All pesticides sold or distributed in the United States must be registered by EPA, based on scientific studies showing that they can be used without posing unreasonable risks to people or the environment. Because of advances in scientific knowledge, the law requires that pesticides which were first registered years ago be reregistered to ensure that they meet today's more stringent standards.

In evaluating pesticides for reregistration, EPA obtains and reviews a complete set of studies from pesticide producers, describing the human health and environmental effects of each pesticide. The Agency imposes any regulatory controls that are needed to effectively manage each pesticide's risks. EPA then reregisters pesticides that can be used without posing unreasonable risks to human health or the environment.

When a pesticide is eligible for reregistration, EPA announces this and explains why in a Reregistration Eligibility Decision (RED) document. This fact sheet summarizes the information in the RED document for reregistration case 4112, (Z)-9-tricosene.

### **Use Profile**

(Z)-9-tricosene is the sex-attractant pheromone of the female housefly. This biochemical pesticide is used in a number of places where fly control is necessary including food/feed handling establishments, livestock premises and residential areas. However, these are considered non-food/feed uses because label restrictions prohibit use near food and feed. (Z)-9-tricosene is formulated as an impregnated material or pest strip, as well as a granular and crystal. Products are applied by hand, using rubber gloves or a cup or scoop.

Use restrictions for products containing (Z)-9-tricosene include: use granules and crystals in bait stations or only in places inaccessible to birds; strips containing the chemical may not be placed in areas where birds, pets or children can accidentally come in contact; products are not permitted in food areas of food handling establishments, or where milk is processed or stored; and products must be kept out of reach of food producing animals.

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**Regulatory  
History**

Pesticide products containing (Z)-9-tricosene were first registered in the United States in 1975. Currently, there are twelve products registered, several also containing other pesticide active ingredients.

**Human Health  
Assessment****Physical Chemistry**

(Z)-9-tricosene is classified as a biochemical pesticide because even though it is chemically synthesized, it is identical to the sex pheromone of the female house fly *Musca domestica*.

There are certain technical chemistry issues to be resolved, including the method used to quantify the percent active ingredient. This leads to a deficiency in the Certification of Ingredient Limits and also the validation of the method used to verify certified limits. These deficiencies are considered minor to the Agency's ability to assess the risks associated with the current uses of (Z)-9-tricosene products. However, the Agency is requiring confirmatory data to correct these deficiencies and accurately characterize the technical chemistry of the (Z)-9-tricosene.

**Toxicity**

Other than slight eye and dermal irritation effects, and possibly moderate dermal sensitization, (Z)-9-tricosene showed no significant signs of acute toxicity. Because of its use patterns, no further toxicology studies are required.

**Dietary Exposure**

There are no established tolerances or tolerance exemptions for (Z)-9-tricosene. All labels bearing directions for use in food or feed handling establishments must carry restrictions to keep products containing this chemical away from food and feed areas and out of reach of livestock. These uses are classified as non-food uses and thus, there are no dietary exposure concerns.

**Occupational and Residential Exposure**

Based on the registered uses of products containing (Z)-9-tricosene, there are no worker or residential exposure concerns.

**Human Risk Assessment**

The potential risks to humans from both non-dietary and dietary routes are considered negligible. Because the active ingredients are impregnated or embedded in a solid polymeric matrix shell, there is low potential for exposure and there are no toxicological concerns.

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**Environmental  
Assessment**

**Environmental Fate**

The major routes of dissipation in the environment for (Z)-9-tricosene are volatilization and microbial mediated degradation.

**Ecological Effects**

(Z)-9-tricosene has low toxicity to mammalian species that may come in contact with this pesticide in the environment. The chemical is practically non-toxic to birds or freshwater fish on an acute oral basis. On a subacute dietary basis, it is practically non-toxic to upland game birds and waterfowl.

(Z)-9-tricosene is very highly toxic, even in low doses, to waterfowl for reproductive effects and is also highly toxic to freshwater invertebrates.

**Ecological Effects Risk Assessment**

For products which contain impregnated materials and solid matrix forms (bait stations and strips), it is assumed that exposure to terrestrial and aquatic species will be minimal. For products formulated as crystals or granules, minimal acute effects to terrestrial species can be expected. Effects to aquatic invertebrates may occur if direct application of the chemical accidentally occurs.

**Endangered Species**

Based on the current use pattern for products formulated as crystals and granules, the potential risk of adverse acute effects to avian, aquatic and mammalian endangered species would be minimal. However, there could be a risk of reproductive effects to endangered avian species.

**Additional Data  
Required**

EPA is requiring confirmatory generic product chemistry data on the method used to quantify the percent of the active ingredient. Product-specific data including product chemistry, revised Confidential Statements of Formula (CSFs) and revised product labeling also are required for reregistration of products containing (Z)-9-tricosene.

**Product Labeling  
Changes Required**

The labels of all registered end use products containing (Z)-9-tricosene must comply with EPA's current labeling requirements, and with the following:

**Avian Risk Mitigation:** To mitigate the avian reproduction toxicity concern for broadcast products and the accessibility to birds, the Agency is requiring registrants to modify their products in a manner that would significantly reduce the exposure potential to birds, such as bait stations.

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**Regulatory  
Conclusion**

The use of registered products containing (Z)-9-tricosene will not pose unreasonable risks or adverse effects to humans or the environment, provided that these products are used in accordance with the restrictions on product labeling. Therefore, all uses of these products are eligible for reregistration. Products containing (Z)-9-tricosene will be reregistered once required confirmatory generic data, product-specific data, Confidential Statements of Formula and revised labeling are received and accepted by EPA.

**For More  
Information**

EPA is requesting public comments on the Reregistration Eligibility Decision (RED) document for (Z)-9-tricosene during a 60-day time period, as announced in a Notice of Availability published in the Federal Register. To obtain a copy of the RED document or to submit written comments, please contact the Pesticide Docket, Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs (OPP), US EPA, Washington, DC 20460, telephone 703-305-5805.

Following the comment period, the (Z)-9-tricosene RED document will be available from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, telephone 703-487-4650.

For more information about EPA's pesticide reregistration program, the (Z)-9-tricosene RED, or reregistration of individual products containing (Z)-9-tricosene, please contact the Special Review and Reregistration Division (7508W), OPP, US EPA, Washington, DC 20460, telephone 703-308-8000.

For information about the health effects of pesticides, or for assistance in recognizing and managing pesticide poisoning symptoms, please contact the National Pesticides Telecommunications Network (NPTN). Call toll-free 1-800-858-7378, between 8:00 am and 6:00 pm Central Time, Monday through Friday.