

Enforcement



# Importing Pesticides into the United States?

when it arrives at the U.S. port. The completed form is then returned to the importer or his agent.

In the past, the U.S. Customs Service reported pesticides imports to EPA at the time they entered the country. Consequently, the products were often held up while EPA determined if they were in compliance with the law. By permitting the initial papers to be completed before a shipment arrives, the new procedures can help speed imports to their destination.

Upon arrival at the port, the pesticides shipment may be released immediately if the product and all papers are in order. If the shipment is detained, the importer can avoid storage charges at the port by posting a delivery bond approximately equal to the value of the shipment. If a pesticide is sold or distributed without EPA release, the delivery bond may be forfeited.

A shipment may be detained if:

- The Notice of Arrival is incomplete.
- The Notice refuses entry of the shipment.
- The Notice orders that the shipment be examined or analyzed to determine if it is in compliance with the Act. About one fourth of incoming shipments are examined to determine if they are properly labeled. A limited number of samples are collected, often products never previously sampled or products of firms with histories of violations. Products previously in violation are inspected and samples analyzed to determine if they are now complying with the Act.

After completing the inspection, EPA may:

- Release the shipment if it is in compliance.
- Order changes to bring the shipment into compliance.
- Refuse entry of the shipment. The importer must then return it to the country of origin or destroy it.

If you have suggestions, questions, or requests for further information, they may be directed to your nearest EPA Regional office.

**EPA Region 1 • JFK  
Federal Bldg. • Boston  
MA 02203 • Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont •  
617-223-7210**

**EPA Region 2 • 26  
Federal Plaza • New  
York NY 10007 • New  
Jersey, New York, Puerto Rico, Virgin Islands •  
212-264-2525**

**EPA Region 3 • 6th  
and Walnut Streets •  
Philadelphia PA 19106  
• Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia • 215-597-9814**

**EPA Region 4 • 345  
Courtland Street NE •  
Atlanta GA 30308 •  
Alabama, Georgia, Florida, Mississippi, North Carolina, South Carolina, Tennessee, Kentucky • 404-881-4727**

**EPA Region 5 • 230 S.  
Dearborn • Chicago IL  
60604 • Illinois, Indiana, Ohio, Michigan, Wisconsin, Minnesota •  
312-353-2000**

**EPA Region 6 • 1201  
Elm Street • Dallas TX  
75270 • Arkansas, Louisiana, Oklahoma, Texas, New Mexico •  
214-767-2600**

**EPA Region 7 • 1735  
Baltimore Avenue •  
Kansas City MO 64108  
• Iowa, Kansas, Missouri, Nebraska •  
816-374-5493**

**EPA Region 8 • 1860  
Lincoln Street •  
Denver CO 80203 • Colorado, Utah, Wyoming, Montana, North Dakota, South Dakota •  
303-837-3895**

**EPA Region 9 • 215  
Fremont Street • San  
Francisco CA 94105 •  
Arizona, California, Nevada, Hawaii, Guam, American Samoa, Trust Territories of the Pacific • 415-556-2320**

**EPA Region 10 • 1200  
Sixth Avenue • Seattle  
WA 98101 • Alaska, Idaho, Oregon, Washington • 206-442-1220**

or

U.S. Environmental Protection Agency  
Pesticides and Toxic Substances  
Enforcement Division (EN-342)  
Washington DC 20460 U.S.A.

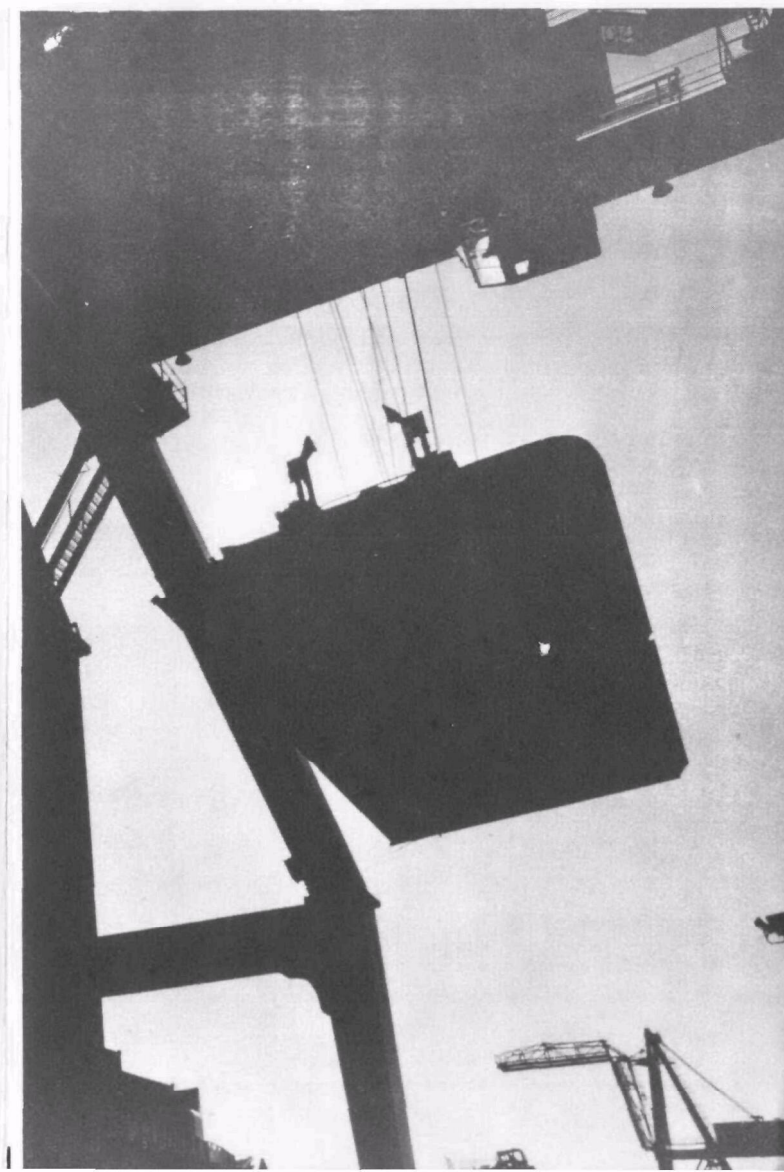
Official Business  
Penalty for Private Use \$300

United States  
Environmental Protection  
Agency  
Washington DC 20460

Postage and  
Fees Paid  
Environmental  
Protection  
Agency  
EPA 335



Third Class  
Bulk



**A**re you a producer or importer planning to sell or distribute pesticides in the United States? If so, you should know that these products, and the establishments producing them, must meet certain requirements under U.S. law.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) has provided a legislative framework for pesticide regulation in the United States since 1947. The U.S. Department of Agriculture was responsible for pesticide regulation until 1970, when the U.S. Environmental Protection Agency (EPA) was created and assumed this responsibility.

The regulatory authorities of FIFRA were extended by a set of amendments known as the Federal Pesticide Act of 1978. The Federal requirements are intended to protect man and the environment from any harmful effects of pesticides while ensuring that these products may be used to the fullest extent necessary.

Section 17 of the amended Act specifically regulates both imports and exports. Pesticides intended solely for export from the United States must be prepared and packaged according to the specifications of the foreign purchaser and must meet certain labeling requirements. The Act also requires that a U.S. producer of pesticides for export register his establishment(s); maintain books and records on production, sales, and distribution; and allow EPA to inspect his establishments.

Pesticide products imported into the United States and establishments in which they are produced, however, must meet the same requirements as domestic producers.

## **Product Registration**

Federal law requires that all pesticides intended for sale in the United States—including imported products—must be registered with EPA. To obtain a registration, a manufacturer must submit data to EPA showing that the product, when used as directed:

- Will be effective against the pests listed on the label.
- Will not injure people, animals, and crops, or damage the environment.
- Will not result in illegal residues on food or feed.

Registered products must meet all the labeling requirements of the amended Act. The label must include the EPA product registration number, an ingredient statement, the name and address of the producer or the registrant, the necessary cautionary statements, and directions for use.

Statements or graphic representations on the label may not be false or misleading. If the product is to be used on a food or feed crop, a tolerance level for residues must be established by EPA. Products failing to comply with registration or labeling requirements will be denied entry into the United States.

For further information on product registration write:

U.S. Environmental Protection Agency  
Office of Pesticide Programs  
Registration Division (TS-767)  
Washington DC 20460 U.S.A.

## **Registration of Establishments**

Section 7 of the amended Act requires that pesticide producers register their establishments. Foreign producers must:

- Register those establishments in which they produce pesticides to be shipped to the United States for sale or distribution. To register, a foreign producer must submit a form entitled "Application for Registration of Pesticide-Producing Establishments" to EPA's Pesticides and Toxic Substances Enforcement Division in Washington, D.C. Forms are available from EPA Headquarters or any EPA regional office. If the application is satisfactory, the Pesticides and Toxic Substances Enforcement Division assigns an establishment number (EPA Est.)
- List the producing establishment number on the label or container of each pesticide product.
- Submit annual reports on types and amounts of pesticides shipped to the United States.

## **Books and Records**

Section 8 of the amended Act requires that each establishment maintain detailed books and records of its production and distribution. For materials he ships to the United States, a foreign producer must keep records on:

- Brand names, registration numbers, batch numbers, and amounts per batch of pesticides.
- Brand names and quantities of devices.
- Brand names and quantities of receipts and shipments of pesticides or devices, as well as the name of the originating or delivering carrier, the name and address of the shipper, name and address of the consignee, and the dates of receipt or shipment. Such records are required even for transfers between plants of the same company.
- Inventories covering the brand names and quantities of pesticides and devices in stock.
- All tests conducted on human beings and any adverse effects on the environment.

Records of production and shipment must be retained for two years. Other records must be retained for various periods as specified by Federal regulations. All records are subject to inspection and reproduction by authorized EPA representatives.

## **U.S. Shipments**

All imported pesticides must meet the provisions of the amended Act before they can enter the United States. An exception is made for chemicals imported in small amounts to undergo testing for pesticidal value. If the user has no intention of receiving any direct pest control benefits from these chemicals, the only requirement governing their importation is that they carry instructions for proper handling during transportation.

Most individuals planning to import pesticides or devices into the United States should obtain a copy of the form "Notice of Arrival of Pesticides and Devices" from the appropriate EPA regional office. After the form is filled in, it is returned to the regional office which completes it, indicating how the shipment is to be handled