Web-Distributed Labeling for Pesticides

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- Overview of web-distributed labeling
- Enforcement of web-distributed labeling
- First expected submission - 2017
Web-Distributed Labeling: Summary

- Voluntary system

- Streamlined use directions can now be available via website

- Both container labeling and web-distributed labeling considered legally valid

- Overall goals
  - Make latest version of state-approved labeling available to user quickly
  - Improve users’ understanding of and compliance with pesticide labeling
Web-Distributed Labeling: Benefits

- Accelerated process for incorporating risk mitigation measures and new uses on web-distributed labeling
- Improved compliance through more readable container labels and labeling
- Streamlined use directions easier for users to understand
- Easier to modify labeling, reduced printing costs, less waste
- Most current version available to users more quickly
Status of Web-Distributed Labeling

- Pesticide Registration Notice 2014-1 issued March 2014
  - Goals of WDL, terminology, suggested text, WDL content, website functionality, etc.
  - Attachments: Sample labeling, master labeling with WDL statements, correctly and incorrectly “rendered labeling”
  - Note: Suggested text provided but variations are allowed
Container and Labeling

Statements

- WDL reference statement pointing user to the website and reminding the user that not following labeling, including WDL, is a violation of FIFRA

- Statement indicating where on the container/label the released for shipment date and unique identifier are located

- Released for shipment date & unique identifier on the labeling or the container
Released for Shipment Date

- Current system – usually applicator can follow the labeling on the container for as long as he has the product

- WDL
  - Tie WDL to a specific container labeling version
  - Allow users to access newer labeling but prohibit use of earlier versions of labeling
  - Ensure that users do not continue to use old versions of WDL if newer container labeling has different requirements
How does a user download web-distributed labeling?

Unique ID: JSA5237G
State: __________
Use site: __________
Master Labeling

DIRECTIONS FOR USE

RESTRICTED USE PESTICIDE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

See individual crops for specific pollinator protection application restrictions. If none exist under the specific crop, for foliar applications, follow these application directions for crops that are contracted to have pollinator services or for food/seed & commercially grown ornamentals that are attractive to pollinators.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- Coversalls
- Chemical-resistant gloves, Category O, such as barrier laminate or Viton® ≥ 14 mils
- Shoes plus socks

You may obtain additional labeling from www.pesticidelabels.com. If using the additional labeling to apply the product, you must possess a copy of this additional labeling at the time of application. It is a violation of federal law to use this product in a manner inconsistent with its attached label or any additional labeling, including any web-distributed labeling, in instances where the additional web-distributed labeling conflicts with the container label. The user may choose a single, valid version of the labeling to follow. However, for areas of overlap or conflict, the user must use only one set of labeling instructions, either the attached container label or the web-distributed labeling. Do not mix and match labeling directions.

The released for shipment date is in DDMYYYY format and can be found on the neck of the container. The unique identifier format is AAAAA-11111 and it can be found on the neck of the container below the released for shipment date.
Rendered Labeling
Web-Distributed Labeling: Enforcement

- Labeling is critical to ensuring that a pesticide’s use will not cause adverse effects

- Web-distributed labeling must be enforceable in order to be implemented

- Web-distributed labeling enforcement will rely on current enforcement infrastructure
Web-Distributed Labeling: Enforcement for Registrants

- Registrants are responsible for ensuring product labeling accurately reflects labeling accepted by EPA; would be responsible for website labeling content
  - If the website host is someone other than the registrant, that entity could also be held accountable as the registrant’s agent

- Potential Violations
  - Incomplete, inaccurate, or differing labeling provided by the website (FIFRA §§ 12, 14)
  - Website fails to reflect most recent EPA-approved master labeling (FIFRA §§ 6, 12, 14)
  - Website is non-functioning and labeling is not available (FIFRA §§ 6, 14)
Web-Distributed Labeling: Enforcement for Users

- Users are responsible for complying with product labeling; includes obtaining web-distributed labeling prior to application

- Potential Violations
  - Misuse of the pesticide (failure to possess labeling at the time of application) (FIFRA § 12)
Web-Distributed Labeling: Enforcement for Others

- Web-distributed labeling would not impose any liability on other entities involved in the distribution chain
  - Dealers
  - Extension Agents
  - Crop Advisors
- These groups could provide web-distributed labeling voluntarily as a service to customers
- Providing services to users would not make these groups liable
SePro Request

- Initially add WDL statements to labeling for a single existing product

- Primary target users: applicators using many containers for a single application

- Separate use directions from container label
  - Streamlined container label
  - Users would be required to obtain labeling from a website, or could go to the dealer or SePro to request a copy of the labeling/a product container with the complete labeling
SePro Request: Labeling

- Container label
  - Wrap-around label with all required elements
  - WDL reference statement
  - No directions for use

- Web-distributed labeling
  - Directions for use
  - WDL statements
Reference statement on container would have to change from suggested language in PR Notice 2014-1

User does not have option to choose between WDL and container labeling; must have container labeling and WDL
Web-Distributed Labeling: Next Steps

- Work with SePro before submission of request to amend labeling
- Review SePro’s formal submission
- Provide feedback/assistance to states as necessary on review/registration of EPA-approved master labeling at the state level