UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Maryland Department of Agriculture
Pesticide Regulation Section
50 Harry S. Truman Parkway
Annapolis, MD 21401

Date Issued: July 1, 2021
Expiration Date: January 14, 2022
Report Due Date: June 14, 2022
File Symbol: 21MD04

Attn: Kelly M. Love

The U.S. Environmental Protection Agency (EPA) hereby authorizes a public health exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to the Maryland Department of Agriculture for use of triethylene glycol (CAS No. 112-27-6); formulated as Grignard Pure, an unregistered product for air treatment in indoor spaces (occupied and unoccupied) in Maryland to control the spread of the novel coronavirus (Severe Acute Respiratory Syndrome Coronavirus 2 or SARS-CoV-2). This exemption is subject to the conditions set forth in your request, dated May 13, 2021, as well as the following conditions and restrictions:

1) The Maryland Department of Agriculture (MDA) is responsible for ensuring that all provisions of this public health exemption are met. MDA is also responsible for providing information in accordance with 40 CFR 166.32(b). Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and the appropriate EPA Regional office within 6 months following the expiration of this exemption, or prior to requesting a subsequent exemption for the use. Additionally, in accordance with 40 CFR 166.32(a), these offices must also be immediately informed of any adverse effects resulting from use of this pesticide in connection with the exemption use. Any future correspondence regarding this exemption should refer to file symbol 21MD04.

2) The unregistered product, Grignard Pure, (containing 52.25% triethylene glycol active ingredient (a.i.)), manufactured by Grignard Company, LLC, may be used under this exemption. All applicable use directions, restrictions, and precautions on the Section 18 label submitted with the May 13, 2021 request must be followed unless otherwise modified in this authorization.

3) Product is ready-to-use to be applied through designated portable dispersal devices or through the HVAC systems. Grignard Pure would be dispersed for up to 12 hours continuously per a 24-hour period. Dispersal is to achieve an airborne concentration of the product between 0.5 mg/m^3 to 9 mg/m^3, as corresponds to a nonvisible haze to a light moderate haze respectively, or as measured by a certified sensor, to achieve a time-weighted average below 4.8 mg/m^3 product (3 mg/m^3 a.i.).

4) Application of Grignard Pure is for use in indoor spaces only, occupied or unoccupied, to treat the air in the following listed indoor spaces when adherence to current public health guidelines (e.g., CDC guidance at www.cdc.gov, recommending face masks, social distancing, limited occupancy, and increased ventilation) is impractical, difficult to maintain, or is not expected to provide a sufficient level of protection. Areas of particular concern include breakrooms, locker rooms, bathrooms, lobbies, elevators, eating areas, and food preparation areas within:

- Health care facilities (e.g., hospitals, nursing homes, medical offices, dental offices), but not in resident/in-patient rooms, emergency rooms including waiting areas, operating rooms, or intensive care units.
- Intrastate buses, trains, and subways.
- Food processing (NAICS 311) but not food services (NAICS 722).
- Indoor spaces within government facilities, where people are conducting activity deemed essential by the state and allowed by the state lead agency, unless otherwise excluded.

5) Follow SARS CoV-2 risk mitigation guidelines issued by Federal, State, and local public health officials. Grignard Pure is not to be relied upon as a sole mitigation but is a supplemental treatment to be used in conjunction with current public health guidelines. See **Directions for Use** for specific details regarding criteria for use of this product.

6) Grignard Pure may be sold and distributed under this emergency exemption only for use by or under direction of trained Grignard-certified applicators, for use in Grignard-approved equipment only, installed by Grignard-certified installers. Use with any other machines, equipment, or systems is prohibited.

7) Prior to allowing use, MDA and Grignard Company, LLC will coordinate training for users in the application of Grignard Pure by certified equipment. Application is only allowed by users trained and authorized by Grignard, or by those under the direct supervision of a trained and authorized user.

8) MDA will coordinate with Grignard to communicate with Federal, State, and local officials that Grignard Pure is only available to those authorized by MDA under this emergency exemption authorization.

9) MDA, the managers of the treated spaces, and Grignard must ensure prominent posting of signage, as included in the application, at entrances and within treated areas. Grignard must supply adequate signage with delivery of product. The signage must include the following statement: "***Grignard Pure may cause temporary irritation in sensitive individuals. If you experience eye, nose, and/or throat irritation, immediately leave the space and get fresh or outdoor air***." The signage must also include a contact number to report any adverse effects.

10) Stocks of the unregistered Grignard Pure product may be produced and introduced into the channels of trade as part of this emergency exemption authorization in accordance with 40 CFR 152.30(e). Any unused, unregistered product must either be returned to the manufacturer or distributor (unopened containers) or disposed of in accordance with applicable federal, state, and local waste disposal requirements following the expiration of this emergency exemption.

11) This public health exemption will expire on January 14, 2022 and a final report summarizing the results of this use is due by June 14, 2022.

12) Issuance of this emergency exemption does not constitute an endorsement of any product or service.

13) The regulations at 40 Code of Federal Regulations (CFR) part 166.7(b) stipulate that public communications regarding FIFRA section 18 emergency exemptions must be very limited in scope and focused on informing eligible users within the authorized geographic area of: the availability of the use, where to obtain product, and the limitations on the use. As per the regulations at 40 CFR 166.7 and 168.22, EPA regards it as unlawful to place, sponsor advertisements, or suggest the purchase or use of the authorized product that fall outside of the scope of these stipulations and may withdraw an exemption if the pesticide subject to the exemption is advertised unlawfully.

14) Additionally, the regulations at 40 CFR 166.35 state that the authorization of an emergency exemption may be modified or revoked if the terms and conditions established by the exemption and the section 18 regulations are not being complied with.

15) All public communications concerning the emergency exemption use of Grignard Pure are subject to the terms in this FIFRA Section 18 authorization letter and must comply with the regulations at 40 CFR 166. This includes, but is not limited to, product labels, training material, and publicly accessible website postings that address Grignard Pure.

If you or your staff have any questions with respect to this authorization document, please contact Emergency Response Team Member Andrea Conrath at 703.308.9356; conrath.andrea@epa.gov, or the Emergency Response Team Leader Tawanda Maignan at 703.308.8050; maignan.tawanda@epa.gov.

MARIETTA ECHEVERRIA

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Marietta Echeverria, Acting Director
Registration Division
Office of Pesticide Programs

cc: Courtney Hoernemann, *USEPA Region 3*