



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

September 14, 2022

OFFICE OF CHEMICAL SAFETY AND
POLLUTION PREVENTION

EXTENSION OF THE TERMINATION DATE FOR THE TEMPORARY AMENDMENTS TO
PESTICIDE REGISTRATION
(PR) NOTICE 98-10
NOTICE TO MANUFACTURERS, PRODUCERS, FORMULATORS AND
REGISTRANTS OF PESTICIDE PRODUCTS

**This Notice applies to products on
EPA's List N: Disinfectants for Use Against SARS-CoV-2¹ or products that serve
as the source of active ingredient for disinfectants on EPA's List N.**

**This Notice also applies to food contact surface sanitizer products containing the
active ingredient isopropyl alcohol that are used in the essential role of food
manufacture and preparation.**

Background

On March 30, 2020, EPA issued a time-limited modification (March modification) to Pesticide Registration Notice (PR Notice) 98-10. In response to supply chain disruptions, the March modification allowed registrants of currently registered pesticide disinfectant products on EPA's List N: Disinfectants for Use Against SARS-CoV-2 that contain any of the active ingredients specified in the Notice (active ingredients sourced from commodity chemicals²) to use any similar source of the specified active ingredients without having to first apply for and receive EPA approval of an amendment to their pesticide registration identifying the new source of ingredient.

On April 14, 2020, EPA issued a revised time-limited modification (April modification) to PR Notice 98-10 to respond to additional reports of supply chain disruptions by pesticide registrants who manufacture disinfectant products on EPA's List N: Disinfectants for Use Against SARS-CoV-2.

Several of the provisions included in the revised time-limited modification to PR Notice 98-10 were also applicable to pesticide products that serve as the source of active ingredient for products on EPA's List N: Disinfectants for Use Against SARS-CoV-2. The purpose of the

¹ List N includes products that meet EPA's criteria for use against SARS-CoV-2, the novel coronavirus that causes the disease COVID-19. See: www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2

² Previous temporary amendments to PR Notice 98-10 referred to these chemicals as "Commodity Active Ingredients."

April modification was to help ensure that disinfectant products remained available as the country responded to the COVID-19 public health emergency.

On May 11, 2020, EPA issued another time-limited amendment to PR Notice 98-10 (hereinafter referred to as “temporary amendment”) to extend some of the supply chain flexibilities in the April modification to products used in the food manufacture and preparation industries. Subsequent to the release of the April modification, the Agency received feedback from participants in this sector that they were experiencing challenges acquiring sanitizers used in production facilities processing low moisture products like grains, cereal, flour, and industrial baked goods. To address this need, EPA extended the registration modifications outlined in the April modification to food contact surface sanitizer products containing the active ingredient isopropyl alcohol. Additionally, isopropyl alcohol was added to the list of active ingredients sourced from commodity chemicals.

When issued, EPA stated it would assess the continued need for and scope of the temporary amendments to PR Notice 98-10 on a regular basis and would update it if the EPA determined modifications were necessary. In addition, in recognition of the temporary nature of the amendments,

EPA stated it would post a notification at www.epa.gov/pesticides at least seven days prior to terminating the temporary amendments. On September 15, 2021, EPA issued a notice stating it was terminating the temporary amendments, effective one year from the date of issuance, September 15, 2022. Registrants have been on notice since the issuance of the temporary amendments that they were time-limited. Since the Fall of 2020, EPA encouraged registrants to amend their registrations by either submitting a notification or amendment, as applicable, to make permanent any changes made using the temporary amendments. In acknowledgement that registrants made changes in their supply chains based on the temporary amendments, and that registrants required time to make the temporary changes permanent, EPA provided 12 months, rather than the seven days guaranteed in the temporary amendments, for registrants to ensure their product (1) is produced using a source of active ingredient identified in the product’s approved confidential statement of formula (CSF), or (2) has complied with relevant registration requirements in the absence of the temporary amendment. Permanent changes can be requested either by CSF amendment or notification, as applicable.

Extension of the Termination Date of the Temporary Amendment

Given the volume of permanent changes submitted to the Agency prior to September 15, 2022, EPA requires additional time to complete the review and approval of notifications and CSF amendments submitted to make permanent changes made pursuant to the temporary amendments, and therefore is extending the September 15, 2022, deadline by 6 months to March 15, 2023. The additional time is to allow the Agency to complete its work. For submittals that are received after September 15, 2022, EPA cannot guarantee that review will be completed by the March 15, 2023, termination date. These submittals will be processed under normal, not expedited timeframes.

Accordingly, the termination of the temporary amendments will be effective on March 15, 2023. After that date, registrants will not be able to release for shipment formulations produced under the conditions of the temporary amendments unless EPA has approved a submitted notification or CSF amendment .

Additional Information

If you have questions about this Notice, please contact Lisa Christ at 202-564-8354 Or christ.lisa@epa.gov.

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