



## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 158

[EPA-HQ-OPP-2020-0124; FRL-10012-21]

RIN 2070-AJ49

### Notification of Submission to the Secretary of Agriculture; Pesticides; Proposal of Pesticide Product Performance Data Requirements for Products Claiming Efficacy Against Certain Invertebrate Pests

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notification of submission to the Secretary of Agriculture.

**SUMMARY:** This document notifies the public as required by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) that the EPA Administrator has forwarded to the Secretary of the United States Department of Agriculture (USDA) a draft regulatory document concerning “Pesticide Product Performance Data Requirements for Products Claiming Efficacy Against Certain Invertebrate Pests.” The draft regulatory document is not available to the public until after it has been signed and made available by EPA.

**DATES:** See Unit I. under **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2020-0124, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805.

Please note that due to the public health emergency the EPA Docket Center (EPA/DC)

and Reading Room was closed to public visitors on March 31, 2020. Our EPA/DC staff will continue to provide customer service via email, phone, and webform. For further information on EPA/DC services, docket contact information and the current status of the EPA/DC and Reading Room, please visit <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Sara Kemme, Field and External Affairs Division (7506P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington DC 20460-0001; telephone number: (703) 347-8533; email address: [Kemme.Sara@epa.gov](mailto:Kemme.Sara@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. What Action Is EPA Taking?**

Section 25(a)(2)(A) of FIFRA requires the EPA Administrator to provide the Secretary of USDA with a copy of any draft proposed rule at least 60 days before signing it in proposed form for publication in the *Federal Register*. The draft proposed rule is not available to the public until after it has been signed by EPA. If the Secretary of USDA comments in writing regarding the draft proposed rule within 30 days after receiving it, the EPA Administrator shall include those comments and EPA's response to those comments with the proposed rule that publishes in the *Federal Register*. If the Secretary of USDA does not comment in writing within 30 days after receiving the draft proposed rule, the EPA Administrator may sign the proposed rule for publication in the *Federal Register* any time after the 30-day period.

**II. Do Any Statutory and Executive Order Reviews Apply to this Notification?**

No. This document is merely a notification of submission to the Secretary of USDA. As such, none of the regulatory assessment requirements apply to this document.

**List of Subjects in Part 40 CFR part 158**

Environmental protection, administrative practice and procedure, agricultural and non-agricultural, pesticides and pests, reporting and recordkeeping requirements.

Dated: November 24, 2020.

**Alexandra Dapolito Dunn,**

*Assistant Administrator, Office of Chemical Safety and Pollution Prevention.*

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