

# EPA Pesticide Container and Containment Rule FACT SHEET



## For Registrants, Retailers, Distributors, Commercial Applicators, Custom Blenders, and Pesticide Users

### The purpose of the rule for containers is to:

- ❖ Minimize human exposure during container handling,
- ❖ Facilitate container disposal & recycling,
- ❖ Encourage use of refillable containers, and
- ❖ Minimize the potential for cross-contamination.



## Key Refillable Container and Repackaging Requirements \*\* Comply by August 16, 2011 \*\*

### Who must comply?

- If you are an independent refiller (repackage a pesticide and are not the registrant), you must comply with the requirements for stationary tanks and repackaging. Also, you are indirectly subject to the requirements for portable refillable containers.
- If you are a pesticide registrant, you must comply with the requirements for stationary tanks, portable refillable containers and repackaging.

### Stationary Tanks

The following requirements apply to tanks with capacities of 500 gallons (liquids) or 4,000 pounds (dry) or greater and that are stationary (fixed or in place  $\geq$  30 days) and that are at the facilities of independent refillers (who repackage a pesticide and are not the registrant). These tanks must:

- Be marked with a serial number or other identifying code
- Have sufficient strength and durability
- Have vents that limit evaporation
- Have a lockable inlet/outlet valve
- Not have external sight gauges
- Be in secondary containment (if it holds an agricultural pesticide)\*
- Be anchored or elevated to prevent flotation (if it holds an agricultural pesticide)\*

### Portable Refillable Containers

Registrants are responsible for ensuring that portable refillable containers (minibulks, totes, shuttles, IBCs, refillable drums, etc.):

- Meet certain Department of Transportation design, construction, & marking requirements
- Are marked with a serial number or other identifying code
- Have a one-way valve or tamper-evidence or both on all openings (other than the vent)
- Are on the registrant's description of acceptable containers

### Repackaging

Refillers (a retailer, distributor or registrant) and registrants are subject to the following repackaging requirements:

- A written contract must be in place between the registrant and an independent refiller
- Both the registrant and refiller are responsible for product integrity
- Registrants might establish size limits in their contracts (There are no regulatory limits on the size of refillable containers)

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Registrants must develop and provide refillers with: (1) a procedure to clean refillable containers, and (2) a description of acceptable containers that meet the requirements for stationary tanks and portable refillable containers. (Refillers must have these documents on file).

When repackaging, a refiller must:

- Identify the previous pesticide
- Visually inspect to see if container is safe to use and has the required markings and openings
- Clean the container unless the tamper evident device and/or one-way valve are intact and the container is being refilled with the same product (or the new product meets other very limited circumstances)
- Repackage into a container identified in the registrant's description of acceptable containers
- Ensure that the product is properly labeled and includes its EPA establishment number and the net contents
- Keep records on the product, date and container for each refill

## **Key Labeling Requirements \*\* Comply by August 16, 2011 \*\***

### **Who must comply?**

- Registrants must incorporate the new language onto their labels for pesticides that are released for shipment (Requirement effective on August 16, 2010)
- Pesticide users must follow the new container management instructions as soon as they are on the labels

### **New Label Statements**

Labels (or containers) of nonrefillable containers will have:

- "Nonrefillable container" statement
- A "do not reuse" statement
- Recycling or reconditioning instructions
- A lot number identifying the batch
- More detailed rinsing instructions for dilutable products in rigid containers, except for household products



Labels (or containers) of refillable containers will have:

- A "refillable container" statement, and
- Instructions for cleaning the container before it is recycled or disposed of (not before it is refilled)

### **For More Information**

Although the regulations (including the amendments) are final, EPA will be posting updated guidance and additional useful information to the PCC web site.

For the complete rule or for additional information go to:

[www.epa.gov/pesticides/regulating/containers.htm](http://www.epa.gov/pesticides/regulating/containers.htm)

**\*These are requirements under the federal containment regulations.**

**Disclaimer: This fact sheet covers key elements but do not cover the requirements for every aspect and detail of the Pesticide Container and Containment Rule.**