

EPA Pesticide Container and Containment Rule

REFILLABLE CONTAINER REQUIREMENTS

For Registrants, Agricultural Retailers, Distributors, Commercial Applicators and Custom Pesticide Blenders

Purpose of the Rule

U. S. EPA published the final Pesticide Container and Containment (PCC) Rule in August 2006.

The Rule seeks to provide sound stewardship practices and national consistency for pesticide labeling, container design, repackaging and storage.

This fact sheet discusses critical aspects of the Rule that affect **selection, maintenance and use of refillable containers for pesticides.**

Who Must Comply

The Rule is a federal regulation that affects all states, regardless of existing state regulations. Parts of the Rule affect retailers, commercial applicators, customer blenders, refillers (both retailers and distributors) and registrants.

Enforcement and Penalties

Enforcement will primarily be conducted by the U.S. EPA regions via state pesticide control officials (such as the State Department of Ag or State Environmental Protection Agency). These agencies have the authority to assess monetary penalties.



An Overview of Refillable Rules

After August 16, 2011, all portable refillable containers must meet the following requirements. After this date, many existing portable refillable containers will be obsolete if they cannot meet these requirements.

- One-way valves or tamper evident device on openings (other than vents) is required. Contact equipment vendors about options.
- Containers must have a unique method of identification such as a serial number or other ID code.
- Must meet DOT design, construction, marking.
- No limits on size, except those placed by registrants, of the refillable container.
- Must be cleaned between uses unless tamper evident and/or one-way valves are intact and filled with same product.
- Containers must be on an approved list from the registrant.
- Must have registrant's cleaning instructions and repackaging authorization on hand.
- EPA Est. # and net contents must be on the product label affixed to the tank.
- Container integrity is the responsibility of both refiller and the registrant.
- Records must be kept for each inspection and fill.

What You Should Do NOW

Use the check sheet on the back to evaluate each refillable container. Identify which containers must be phased out; and which must be modified prior to August 2011. Study the rule since there are other parts that may affect your business.

To learn more, attend the National Agronomic EHS School in Bloomington, Ill., August 18, 2009. (<http://www.naehss.org/>). This year's school program will include hands on inspection of mini-bulks.



Sponsored by
American Agronomic Stewardship Alliance (AASA), CropLife America and
National Association of State Departments of Agriculture (NASDA)



This material may be freely copied and distributed. See www.aginspect.org for pdf.

NOTICE: The information and recommendations contained herein are presented in good faith and are believed to be accurate and reliable. No representation, guarantee or warranty is made as to the accuracy, reliability or completeness of said information and recommendations. Nor is any representation, guarantee or warranty made that application, or use of any of the same, will avoid hazards, accidents, losses, damages or injuries of any kind to persons or property or give desired results. Users must satisfy themselves as to the suitability of said information and recommendations prior to use.

Pesticide Refiller Checklist for Portable Refillable Containers

The answer to each question for every container should be "Yes"; otherwise, **FIX IT before August 16, 2011.**

All Refillable Containers

1. For containers holding liquids, all openings (except vents) have one-way valves, tamper evident devices or both?
2. Does the container have a unique serial number or other identifying mark? Note the unique number for container being checked here #:_____. Does each container have its own checklist?
3. The container will not leak under normal transport conditions?
4. The container is visually inspected before reuse and will not be reused unless it is free from incompatible residue, rupture or damage which reduces structural integrity?
5. The container is strong enough to undergo normal handling without damage?
6. The registrant has provided you (the refiller) a description of acceptable containers for the products you refill?
7. The container is compatible with the pesticide? (Use registrant's list of approved containers to verify.)
8. The container can be closed in compliance with container manufacturer's written instructions?
9. Pesticide residue or spilled material will not be on the outside of the container after filling?
10. The registrant has provided you (the refiller) with a contract allowing you to use the registrant's label?
11. The registrant has provided you (the refiller) with written residue removal procedures (cleaning instructions)?

Containers less than 119 gallons or 882 lbs

12. Is container marked to indicate it meets, at least, US DOT PG III / UN authorization standards? *Combination packages larger than 5 liters or 5 kg, and all single packages require UN authorization.*
13. Is the container as it was when tested & authorized? *If container is altered, retesting is required!*
14. Are drums authorized for reuse? *Drums are only authorized when they are marked in a permanent manner with the nominal (metal) or minimum (plastic) thickness of the packaging material.*

Other rules exist. For instance, liquid containers must not be liquid full at 130°F. Specific gravity of liquids must not exceed the marked limit (adjust for PG I & II). Combination packages with liquids must have closures upright. Inner packages must be cushioned with compatible materials. Paper, plastic film or textile packagings are not authorized for reuse.

Containers greater than or equal to 119 gallons or 882 lbs

Includes portable tanks and Intermediate Bulk Containers (IBCs)

15. The container has "UN" authorized markings indicating it meets, at least, US DOT PG III? If not marked, the manufacturer has verified it meets, at least, US DOT PG III? *DOT Spec. 51, 56, 57 and 60 portable tanks; IMO type 1, 2 and 5, IM 101 and IM 102 portable tanks; UN portable tanks; marine portable tanks conforming to 46 CFR part 64; and non-DOT specification portable tanks are authorized for many products.*
16. If container is UN authorized or a US DOT Specification tank, then has it been leak-proof tested, externally inspected and marked every 2.5 years, and has it been internally inspected & marked at least every five years and are records available for the testing?

Other rules exist. For instance, liquids may not exceed 99% of capacity when heated to 115° F. Maximum weight marked can never be exceeded. Flexible, fiberboard or wooden IBCs must be visually inspected before each fill.

This checklist does NOT cover all aspects of the Pesticide Container & Containment Rule. The EPA summary and Rule is available at: www.epa.gov/pesticides/regulating/containers.htm