

chartering, balanced membership, and open meeting requirements of the Federal Advisory Committee Act (FACA). The Office of General Counsel or the Regional Counsel should be consulted to determine whether FACA applies to a particular group.

In general, any time the Agency forms a group of non-federal people to provide EPA with collective advice, the requirements of the Federal Advisory Committee Act (FACA) may apply. Such groups shall not meet until the requirements of FACA are met. Staff may contact the Committee Management Officer in the Office of Cooperative Environmental Management for advice on complying with these requirements, and to learn about the exceptions to FACA.

The primary function of an advisory group is to assist elected or appointed officials by making recommendations to them on issues that the decision-making body considers relevant. These issues may include policy development, project alternatives, financial assistance applications, work plans, major contracts, interagency agreements, and budget submissions, among others. Advisory groups can provide a forum for addressing issues, promote constructive dialogue among the various interests represented on the group, and enhance community understanding of the Agency's action.

A. Requirements for Federal EPA Advisory Committees: When EPA establishes an advisory group, provisions of the Federal Advisory Committee Act 5, U.S.C. App. 2), and General Service Administration (GSA) Regulations on Federal Advisory Committee Management must be followed.

These requirements are:

- The development of a Charter that has been approved by the General Services Administration and Office of Management and Budget. It must contain the committee's objectives and the scope of its activities, the period of time necessary for the committee to carry out its objectives, the agency responsible for providing the necessary support for the committee, and a description of the duties for which the committee is responsible. The Charter must be renewed every two years. 5 U.S.C. App. 2, sec. 9.

- The Establishment **Federal Register** Notice. At least 15 days before the charter is filed for a new committee, EPA is required to publish an establishment notice in the **Federal Register**. Such notice describes the nature and purpose of the committee, the agency's plan to attain fairly balanced membership, and a statement that the committee is necessary and in the public interest 5 U.S.C. App. 2, sec. 9.

- Balanced Membership. Advisory committees must be "fairly balanced" in points of view represented. 5 U.S.C. App. 2, sec. 5.

- The Meeting **Federal Register** Notice. Each advisory committee meeting must be noticed in the **Federal Register** at least 15 days prior to the meeting. 5 U.S.C. App. 2, sec. 10.

- To close a meeting to the public, you must obtain the approval of both the Administrator and the General Counsel. 5 U.S.C. App. 2, sec. 10.

Detailed minutes must be kept of all advisory committee meetings. 5 U.S.C. App. 2, sec. 10.

- Open Meetings. Interested persons may file written statements with any advisory committee, attend any advisory committee meeting (unless properly closed), and appear before any advisory committee. 5 U.S.C. App. 2, sec. 10.

- DFO Attendance. Each meeting must be attended by a Designated Federal Official (DFO), a full-time federal employee who is authorized to adjourn the meeting and approve the agenda. 5 U.S.C. App. 2, sec. 10.

- Documents Available to the Public. All advisory committee documents (including drafts) shall be available to the public upon request. 5 U.S.C. App. 2, sec. 10.

B. State and Local Advisory Committees: In instances where regulations, program guidance, or the public involvement plans of state, substate, or local agencies, call for advisory groups, they should follow applicable state and local laws.

Note: Find information about EPA's FACA committees at <http://www.epa.gov/ocem/websites.htm#faca>

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-00693; FRL-6762-2]

Pesticides; Final Guidance for Pesticide Registrants on Applicability of the Treated Articles Exemption to Antimicrobial Pesticides

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: The Agency is issuing PR Notice 2000-10 which extends the effective date of when it will begin to rely upon PR Notice 2000-1 (issued March 6, 2000). PR Notice 2000-1 provides guidance on the applicability of the "treated articles exemption" in 40 CFR 152.25(a) to antimicrobial pesticide products.

FOR FURTHER INFORMATION CONTACT: Jeff Kempter (7510C), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 305-5448; fax number: (703) 308-6467; e-mail address: kempter.carlton@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. This action may be of particular interest to those persons who produce pesticides or who produce articles treated with pesticides. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions

regarding the information in this notice, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document and the PR Notice from the Office of Pesticide Programs' Home Page at <http://www.epa.gov/pesticides/>. You can also go directly to the listings from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the "**Federal Register**—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-00693. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

II. Background

A. What Guidance Does this PR Notice Provide?

On March 6, 2000, the Agency issued PR Notice 2000-1 concerning the applicability of the "treated articles exemption" in 40 CFR 152.25(a) to antimicrobial pesticide products. The intent of that notice was to clarify current Agency policy with respect to the scope of the treated articles exemption. Specifically, the notice addressed the types of claims which are or are not permitted on treated articles,

and explained the requirement that the pesticide in a treated article be "registered for such use."

Section VI of PR Notice 2000-1, titled "Effective Date and Procedures," encouraged producers, distributors, and other persons selling or distributing pesticide-treated articles and substances to bring their products into compliance with 40 CFR 152.25(a). That section also indicated that the Agency would begin to rely on the guidance provided in that notice on February 11, 2001, and that products in commerce after that date which make statements or claims that do not reflect the clarifications offered in that notice, would risk being considered out of compliance with 40 CFR 152.25(a).

The Agency has since learned that certain segments of the industry which produce treated articles will not be able to meet the February 11, 2001 date, both in production of treated articles and in their sale and distribution in commerce. Further, the Agency is concerned that some distributors of treated articles may not be aware that their products are subject to PR Notice 2000-1 due to the fact that the notice was sent primarily to registrants and not generally to the distributors of treated articles. Finally, the Agency is concerned that the current date of February 11, 2001, and the inclusion of all treated articles in commerce could have an unintended adverse economic impact on affected companies.

For these reasons, the Agency is extending the effective date of when it will begin to rely upon PR Notice 2000-1 from February 11, 2001 to April 30, 2001. In addition, the Agency is changing the guidance in that notice such that treated articles produced on or before April 30, 2001, may continue to be sold or distributed by anyone through commerce without being subject to the clarifying guidance in PR Notice 2000-1. Thus, only treated articles produced after April 30, 2001, which make statements or claims that do not reflect the clarifications offered in that notice, would risk being out of compliance with 40 CFR 152.25(a). Producers of treated articles produced on or before April 30, 2001, would need to be able to provide adequate documentation of the production date of such articles found in commerce. All other elements of PR Notice 2000-1, as well as the current enforcement approach, will remain as stated or referenced in that notice.

B. PR Notices are Guidance Documents

The PR Notice discussed in this notice is intended to provide guidance to EPA personnel, the public, pesticide

registrants, and producers of pesticide-treated articles. This notice is not binding on EPA, pesticide registrants, or treated article producers, and EPA may depart from the guidance where circumstances warrant and without prior notice. Likewise, pesticide registrants and treated article producers may assert that the guidance is not appropriate generally or not applicable to a specific pesticide, treated article, or situation.

List of Subjects

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides, Antimicrobials, and pests.

Dated: December 20, 2000.

Marcia E. Mulkey,

Director, Office of Pesticide Programs.

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-60058; FRL-6756-2]

Intent to Suspend Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice, pursuant to section 6(f)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 to 136-y, announces that EPA has issued Notices of Intent to Suspend pursuant to sections 3(c)(2)(B) and 4 of FIFRA. The notices were issued following issuance of Section 4 Reregistration Requirements Notices by the Agency and the failure of registrants subject to the Section 4 Reregistration Requirements Notices to take appropriate steps to secure the data required to be submitted to the Agency. This notice includes the text of a Notice of Intent to Suspend, absent specific chemical, product, or factual information. Table A of this notice further identifies the registrants to whom the Notices of Intent to Suspend were issued, the date each Notice of Intent to Suspend was issued, the active ingredient(s) involved, and the EPA registration numbers and names of the registered product(s) which are affected by the Notices of Intent to Suspend. Moreover, Table B of this notice identifies the basis upon which the Notices of Intent to Suspend were issued. Finally, matters pertaining to the

timing of requests for hearing are specified in the Notices of Intent to Suspend and are governed by the deadlines specified in FIFRA section 3(c)(2)(B). As required by FIFRA section 6(f)(2), the Notices of Intent to Suspend were sent by certified mail, return receipt requested, to each affected registrant at its address of record.

FOR FURTHER INFORMATION CONTACT:

Harold Day, Office of Compliance (2225A), Office of Enforcement and Compliance Assurance, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-4133; e-mail address: day.harold@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to persons who produce or use pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the "**Federal Register—Environmental Documents**." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>. (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. To access the OPPTS Harmonized Guidelines referenced in this document, go directly to the guidelines at <http://www.epa.gov/opptsfrs/home/guidelin.html>.

II. Text of Notice of Intent to Suspend

The text of a the Notice of Intent to Suspend, absent specific chemical, product, or factual information, follows:

United States Environmental Protection Agency