

REPACKAGING

Conditions for allowing repackaging by an independent retailer: Repackaging can occur when;

- The repackaging results in no change to the pesticide formulation, the label is provided and is unchanged from the EPA approved label (except for the EPA Est. No. and net contents).
- New - There are no size limits for refillable containers.
- Refilling quantity is only limited by a containers capacity.
- The repackaging occurs at a refilling establishment registered w/ EPA or the product is repackaged by a registered refilling establishment at the site of a user.
- The registrant and the refiller have entered into a written repackaging contract.
- The registrant provides a written description of acceptable refillable containers for each pesticide product to be repackaged.
- The registrant provides a written residue removal procedure that describes how to clean their refillable containers (portable & stationary) before they are refilled.
- The repackaged pesticide product label includes the addition of an appropriate net contents statement and the refillers EPA Est. No.

Repackaging: Refillers Responsibilities:

- A refiller must identify the product previously contained in the refillable container (by looking at the label) to determine if it is necessary to clean the container.
- A refiller must clean a refillable container according to the residue removal procedure unless each tamper-evident device and one way valve (if required) is intact and the container is being filled with the same pesticide product. If switching products, (see RG)
- A refiller must visually inspect the container before repackaging pesticide into it to determine whether the container meets the specified criteria (see RG) with respect to continued container integrity, required markings and openings.
- A refiller must ensure that the pesticide's label is securely attached to the refillable container and that the net contents and EPA establishment number (assigned to the refiller) is recorded on the label.
- A refiller must generate the following records and keep them for three years after the date of repackaging: (1) the EPA Reg. No. of the pesticide; (2) the serial number/identifying code of the container that was filled; and (3) the date of repackaging. EXEPTION: antimicrobial products used in swimming pools and closely related sites are not required to comply with this record keeping requirement.
- A refiller must keep the following records for the current year and three years after that: (1) the registrants residue removal procedure; (2) the registrants list of acceptable containers; and (3) the repackaging contract.
- A refiller is responsible for the integrity of pesticides repackaged into refillable containers.
- A refiller's establishment must be registered with EPA as a producing establishment.
- A refiller must repackage a pesticide into a refillable container that is identified on the description of acceptable containers which must be provided by the registrant.

Repackaging: Registrant Responsibilities:

- Registrants are responsible for the integrity of pesticides repackaged into refillable containers. This applies when registrants conduct the refilling and when refillers operating under contract to a registrant conduct the refilling.
- Registrants must develop and provide to refillers, a residue removal procedure that describes how to clean refillable containers before they are refilled and a description of acceptable containers that can be used to sell or distribute their pesticide product(s).
- Registrants must keep the following records for the current year and for three years after that: (1) the residue removal procedure; (2) the description of acceptable containers; and (3) each written contract entered into with a refiller.
- Registrants must provide a refiller with the residue removal procedure, list of acceptable containers and the pesticide label/labeling before or at the time of distribution or sale of the pesticide to the refiller. The registrant must provide a signed repackaging contract prior to sale or distribution to the refiller.

The refiller must have the following items at the establishment prior to conducting repackaging:

- Repackaging Contracts
- Pesticide label and labeling
- The Registrants written residue removal procedure
- The Registrants written description of acceptable containers for the pesticide product.