



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 25 2001

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Fiberlock Technologies, Inc.
150 Dascomb Road
Andover, MA 01810-5873

Attn.: Andre Weker
Technical Sales Manager

Subject: Inquiry Concerning Registered Treated Article Products
Your Letter Dated May 10, 2001

Thank you for your inquiry referenced above. The Agency acknowledges that in the past some pesticide registrations have been granted for products that qualify as treated article products. However, companies that have such products have the option of cancelling these registrations and marketing them as unregistered treated articles in accordance with Agency regulations.

As you are aware, PR Notice 2000-1 was issued to provide clarification of acceptable and unacceptable treated article claims. The notice clarifies current EPA policy with respect to the scope of the "treated articles exemption" in 40 CFR 152.25(a). This regulation exempts certain treated articles and substances from regulation under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) if specific conditions are met. Known as the "Treated Articles Exemption," section 152.25(a) provides an exemption from all requirements of FIFRA for qualifying articles or substances treated with, or containing a pesticide, if:

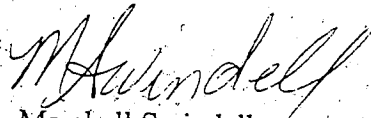
- (1) the incorporated pesticide is registered for use in or on the article or substance, and;
- (2) the sole purpose of the treatment is to protect the article or substance itself.

Products currently registered containing only treated article claims are no different in terms of effectiveness, toxicity or other characteristics from the same products that are not registered and that qualify as treated articles. Pesticide registrants may cancel those registered products at any time and market them as treated articles if all conditions of the "treated articles exemption" listed above are satisfied.

The Agency has no interest in utilizing resources to register products that qualify as treated articles, and discourages requests to register such products. At the same time, the Agency has no plans to cancel or to take regulatory steps concerning registered products that qualify as treated articles.

If you have any questions concerning this letter please contact Marshall Swindell at 703-308-6341.

Sincerely yours,

A handwritten signature in cursive script that reads "M Swindell".

Marshall Swindell
Product Manager 33
Regulatory Management Branch 1
Antimicrobials Division (7510C)