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# Guidance on IR-4 Exemptions

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## Eligibility for an Inter-Regional Project Number 4 (IR-4) Registration Service Fee Exemption

An application would be exempt from registration service fees if the Agency determines that the application:

- is solely associated with a tolerance petition submitted in connection with IR-4 [Exit](#) and
- an exemption from registration service fees is in the public interest.

See Policy for IR-4 Public Interest Findings.

If the application is for a non-food use, which does not require a tolerance, the application is not eligible for an IR-4 exemption. However, an application may be considered under the "minor use" provisions of FIFRA, or under the "small business waiver" provisions of FIFRA.

- Full text of FIFRA (PDF) (168 pp, 444 K, [About PDF](#))
  - Minor use provisions (FIFRA Section 33(b)(7)(D)) – on page 156 of file
  - Small business waiver (FIFRA Section 33(b)(7)(F)) – on page 157 of file

Application Procedures to Qualify for the Service Fee Exemption

### Initial Application

The registration request must be submitted in the same application with the IR-4 tolerance petition. If the registration request or petition is delayed, EPA will determine that the registration request is not solely associated with an IR-4 tolerance petition and a registration service fee will be due. The registration application must be accompanied by the notice of filing for the tolerance petition.

## Amended Applications

Any changes to the application will require a new application that will be subject to a PRIA fee unless the original application and petition are withdrawn and then submitted again with a request for an IR-4 exemption.

## Using EPA Form 8570-1, Application for Pesticide Registration

To request an IR-4 exemption, include the following statement in the "Explanation" box of Section II:

"This application is being submitted with a tolerance petition submitted in connection with IR-4. I request that EPA exempt the registration service fee for this application under the IR-4 exemption provisions at FIFRA Section 33(b)(7)(E)."

Also in this section, reference the commodities that are the subject of the IR-4 petition.

## Applicability of the 21-day Initial Content Screen

- An application must contain all the necessary forms, data, and draft labeling, formatted in accordance with guidance published by the Agency.
- If it does not, corrections to the application must be made by the end of the 21 days, beginning the day the exemption is granted.
- If EPA rejects an application and you wish the Agency to consider your application again, you must submit a new application.
- To qualify for the IR-4 exemption, the IR-4 tolerance petition must be withdrawn and then submitted simultaneously with the new application.

## Common Issues when Developing These Submissions

- A Section 3 label amendment must reflect the application rates and the formulations used in the IR-4 field residue trials.
- Requests to change the use directions or the formulation submitted after the submission of the IR-4 petition do not qualify for a PRIA exemption since the requests will not be solely associated with submission of the IR-4 petition.
- Any requests to change/add formulations, REI, PPE, PHI, use rate, number of applications, or add aerial application after the submission of the original application will constitute a new request and will be subject to PRIA fees.
- The Notice of Filing (NOF) provided by the registrant and submitted by IR-4 must list the same commodities and proposed tolerance levels listed in section "F" of the IR-4 petition request.
  - EPA will only be able to establish tolerances for commodities that were proposed in the Federal Register and discussed in the NOF.
- The Agency encourages registrants to work with IR-4 to ensure that applications are complete when the Agency receives them.

## **Starting the Decision Review Period**

The decision review period will begin on the date the exemption is granted. Applicants will be notified by mail when the exemption has been granted.

## **For More Information**

The IR-4 Program has agreed to coordinate the submission of requests for IR-4 exemptions. If you have any questions, contact:

Dr. Daniel L. Kunkel  
IR-4 Project Headquarters  
Phone: 732-932-9575 ext. 4616  
Fax: 609-514-2612  
kunkel@aesop.rutgers.edu

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