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Pesticides: Regulating Pesticides

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 » Chapter 14 - How to Obtain an EPA Establishment Number

Pesticide Registration Manual: Chapter 14 - How to Obtain an EPA Company or Establishment Number and Change of Address of Contact Information

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What is an EPA Company Number

A "company number" is a unique identifier assigned to a company that wishes to register a pesticide (e.g., herbicide, rodenticide, or antimicrobial) with the U.S. Environmental Protection Agency (EPA). These companies are commonly called registrants.

A "company number" is also necessary for a company that plans to "produce" pesticides or devices. Such production requires the company to obtain a "Pesticide-Producing or Device-Producing Establishment Number." The company number is part of the establishment number.

How to Obtain an EPA Company Number

Registrants must obtain a company number prior to registering their first product with the Agency. For subsequent products or amendment to existing registrations, the registrant must refer to this company number. (Note: registrants who plan to produce their own products will also need to obtain an "establishment number.")

The registrant must submit a signed letter on company letterhead to request a company number and establish an official address with EPA as described in the Agency's guidance, "How to Obtain a Company Number and Register an Official Address (PDF)" (4 pp, 118k)." EPA will direct all future correspondence to the official address. The registrant must keep this official address record up to date.

In their request for a company number, foreign companies must designate a U.S. agent to receive correspondence and represent them in matters concerning their application. 40 CFR 152.50(b). U.S. registrants may also designate an agent. The letter should include a statement authorizing the agent to act in all matters concerning the registration of the product with EPA. It should also include a statement acknowledging that all official correspondence from EPA will be directed to the agent.

How to Obtain an EPA Establishment Number

When producing or formulating a pesticide, it is necessary to register the place(s) [or facility(ies)] where the pesticide or device is to be produced. This chapter describes how an applicant can obtain an establishment number for its facility.

FIFRA section 7 (PDF) (109 pp, 288k) governs pesticide establishments and recordkeeping. Detailed information concerning definitions, registration procedures, labeling, and reporting requirements is provided in 40 CFR Part 167, Registration of Pesticide and Active Ingredient Producing Establishments, Submission of Pesticide Reports, and 40 CFR Part 169, Books and Records of Pesticide Production and Distribution.

Definition of an Establishment

The Code of Federal Regulations ([40 CFR 167.3 \(PDF\)](#) (2 pp, 146.46 k [About PDF](#))) defines an establishment as any site where a pesticide product, active ingredient, or device is produced, regardless of whether:

- the site is independently owned or operated;
 - site is domestic (i.e., located in the United States) and is producing the pesticide or device only for export; or
 - the site is located in a foreign country and is producing the pesticide or device for importation into the United States.
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Definition of Produce

The term "produce," as defined in [40 CFR 167.3 \(PDF\)](#) (2 pp, 146.46 k [About PDF](#)), means "to manufacture, prepare, propagate, compound, or process any pesticide, including any pesticide produced pursuant to [an Experimental Use Permit], any active ingredient or device, or to package, repackage, label, relabel, or otherwise change the container of any pesticide or device."

Registering Pesticide-Producing and Device-Producing Establishments

To register an establishment, EPA [Form 3540-8 \(PDF\)](#) (2 pp, 760k), Application for Registration of Pesticide-Producing Establishments must be completed and submitted to the Agency. The corresponding instructions provide information on [how to properly complete the form and where to send it \(PDF\)](#) (7 pp, 132k).

Domestic Establishments - The completed application should be sent to the EPA Regional Office having jurisdiction over the state in which the company headquarters is located. EPA has 10 regional offices throughout the United States, which in turn oversee implementation and compliance with EPA programs and environmental standards in the 50 states and in the U.S. Territories. The instructions for Form 3540-8 list the Regional Offices' mailing addresses and telephone contacts.

Foreign Establishments - Foreign companies should submit their applications to EPA headquarters at the address listed in the instructions on how to properly complete Form 3540-8.

To request termination of a pesticide-producing or device-producing establishment, domestic establishments should notify the EPA Regional Office having jurisdiction over the state in which the company headquarters is located. Foreign establishments should notify the EPA Headquarters Office listed in the [instructions for Registering Establishments](#) on the EPA Web page.

Information Requirements

Applications for the registration of an establishment require the following information:

- name and address of the company;
- EPA company number;
- type of ownership (individual, partnership, cooperative association, corporation, or any

- organized group of people whether incorporated or not);
 - name(s) of new producing establishment(s);
 - site address and the mailing address of the new producing establishments; and
 - name of the company official or authorized agent, a signature, date of signature, and phone number.
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Reporting Requirements

All active establishments are required to submit an annual production report on EPA [Form 3540-16 \(PDF\)](#) (2 pp, 760k), Pesticide Report for Pesticide-Producing Establishments by March 1 of each year to the appropriate EPA Regional Office listed in the "[Instructions for Completing EPA Form 3540-16](#)". Refer to [40 CFR 167.85\(PDF\)](#) (2 pp, 143.24 k [About PDF](#)) ; [40 CFR 167.90\(PDF\)](#) (1 pp, 143.44 k [About PDF](#)) . For new establishments, an initial report must be submitted no later than 30 days after the first registration of each establishment. Refer to [40 CFR 167.85\(d\)\(PDF\)](#) (2 pp, 143.24 k [About PDF](#)) . The records that must be maintained and the retention period are described in [40 CFR 169](#).

How to Report Official Company Name, Address or Agent Changes to EPA

Any changes to the official company name, address, withdrawal of an existing agent, appointment of a new agent or changes to any of the contact information listed above should be reported to EPA as a separate transaction to ensure proper handling. Instructions for notifying the Agency of these changes are found in Agency's guidance "[How to Obtain a Company Number and Register an Official Address \(PDF\)](#)" (2 pp, 760k). (Note: A sale, merger or spin-off of an EPA Company Number to another entity usually involves a Company Number Transfer [rather than just a Company Name Change]. See Chapter 16 regarding transfers.

Contacts for Additional Information

For Company Numbers: [Adrienne Turner](mailto:turner.adrienne@epa.gov) (turner.adrienne@epa.gov), 703-308-4983

For Official Address Changes: [Kathleen O'Malley](mailto:omalley.kathleen@epa.gov) (omalley.kathleen@epa.gov), 703-305-5411

For Establishments: Information on registering an establishment and annual production reports may be obtained from the [Pesticide Establishment Registration and Reporting Contacts](#). EPA's Office of Enforcement and Compliance Assurance provides additional information on its [Web page](#).

References Cited in Chapter 14

Refer to [Chapter 19](#) for information on the source of these documents.

Refer to [Chapter 16](#) for information on transfer of product registrations and data rights

[Code of Federal Regulation, Title 40](#)

- Part 167 - Registration of pesticide-producing establishments, submission of pesticide reports, and labeling

- Part 169 -Books and records of pesticide production and distribution

Federal Insecticide, Fungicide, and Rodenticide Act (PDF), as amended by the Food Quality Protection Act of August 3, 1996

- Section 7 - Registration of establishments

