OMB Control No. 2070-0078
Expires 5/31/2012

United States Environmental Protection Agency

Instructions for Completing EPA Form 3540-8 Application for Registration of a Pesticide-Producing and Device-Producing Establishment

Purpose of Form

This form is used to register establishments that produce pesticides, devices and active ingredients within the United States and that import into the United States.

Information submitted by respondents is used to issue establishment registration numbers. EPA also uses this information to identify producing establishments and ensure that pesticides or devices produced in the United States or imported into the United States are in compliance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Authority to Request Information

FIFRA section 7 (7 USC section 136e) requires any person producing any pesticide, device or active ingredient used in producing a pesticide in the United States or imported into the United States to be registered with the Agency. (Hereinafter "producing establishment.") The owner of a producing establishment must register as required by 40 CFR Part 167. The information must be submitted on the Application for Registering a Pesticide-Producing and Device-Producing Establishments (EPA Form 3540-8).

EPA requires information contained in this application to identify the person(s) legally responsible for pesticides, devices or substances to be used as an active ingredient of a pesticide. EPA must ensure that pesticides, devices and active ingredients are manufactured in a way that protects human health and the environment as required by FIFRA.

The public reporting and recordkeeping burden for this collection of information is estimated to average 18 minutes per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, DC 20460. Include the OMB control number in any correspondence. Do not send the completed 3540-8 form to the above address.

Who Must Submit this Form

- Any **establishment** must register if it produces, packages, repackages, labels or relabels a pesticide, device or substances used as an active ingredient of a pesticide. Registration must occur before production or distribution takes place.
- Any establishment where a substance is produced, packaged, repackaged, labeled or relabeled must register with EPA if the producer intends that substance to be used as an active ingredient of a pesticide. If the producer has actual or constructive knowledge that the substance will be used by any person as an active ingredient of a pesticide, it must register with EPA before production or distribution takes place.
- Any domestic establishment producing a pesticide, device, active ingredient or any unregistered pesticide for export must register before production or distribution takes place.
- Any foreign establishment producing a pesticide, device or active ingredient for import into the United States must register before production or distribution takes place.
- Any establishment, either foreign or domestic, that produces a pesticide or device for use under a section 5 of FIFRA—Experimental Use Permit, section 18 of FIFRA— Emergency Exemption or section 24(c) of FIFRA—Special Local Need registrations must register before production or distribution takes place.

NOTE	Custom blenders are exempt from the establishment registration requirement. Please see the Pesticide Establishment Registration and Reporting Questions for more information. http://compliance.supportportal.com/link/portal/23002/23009/ArticleFolder/1654/Pesticide-Producers

General Instructions

- Read all instructions before completing this form.
- Registering an establishment is only required once.
- Print in ink or type when completing the form. If you would like to complete this form electronically, an interactive PDF version is available at: http://www.epa.gov/compliance/monitoring/programs/fifra/establishments.html.
- **You must obtain an EPA Company Number from EPA's Office of Pesticides Programs (OPP) before submitting this application. Please see http://www.epa.gov/pesticides/registrationkit/company-num_addr-chg.pdf for information on obtaining an EPA Company Number.**
- **Once you have obtained the EPA company number, then you must submit an EPA Form 3540-8 (Application for Registration of Pesticide-Producing and Device-Producing Establishment) to the applicable EPA office where your company Headquarters office is located to obtain the EPA**

establishment registration number. For assistance in completing the Form, please contact the pesticide establishment coordinator in your area. (See Page 7).
http://www.epa.gov/compliance/contact/monitoring-establish.html

- If you need additional information about your responsibilities as a pesticide or device producing establishment, please see Pesticide Establishment—Registration and Reporting Questions at: http://compliance.supportportal.com/link/portal/23002/23009/ArticleFolder/1654/Pesticide-Producers

- Regulations regarding books and records of pesticide and device production and distribution can found at 40 CFR Part 169.

How to Complete the Application Form

Company Information

- **Item 1—Company Name**: Provide the legal name of your company as given to the Office of Pesticide Programs (OPP).

- **Item 2—EPA Company Number**: Provide your EPA FIFRA Company Number as assigned by OPP.

- **Item 3—Company Name (doing business as)**: If you operate your company under a different name than that listed in Item 1 (i.e., doing business as), please list it here. For foreign establishments, the phrase "trading as" is equivalent to "doing business as."

- **Items 4 to 7—Site Address**: Please provide the physical address of the company headquarters office of the producing establishment. For foreign establishments, zip code is equivalent to postal code, post code or postcode.

- **Items 8 to 11—Mailing Address**: Please provide the mailing address where EPA can contact you about your registered establishments. For foreign establishments, zip code is equivalent to postal code, post code or postcode. **Note**: This address may be different than the address you used to obtain your company number.

NOTE	Country Codes for Foreign Pesticide Establishments are available at: http://www.epa.gov/compliance/resources/publications/monitoring/fifra/fgnestablishments.html

- **Item 12—Phone Number**: Please enter the telephone number, including country code, EPA should use to contact you about your pesticide establishments.

- **Item 13—Ownership Code**: Please enter the appropriate ownership code:

  1—Individual
  2—Partnership
  3—Cooperative Association

4—Corporation
5—Other

- **Item 14—eMail**: Please enter your eMail address (optional).

- **Item 15—State or Country of Incorporation (if incorporated)**: Please enter the appropriate two-letter state abbreviation or three-letter foreign country abbreviation where the company is incorporated.

Authorized Agent (if applicable)

- **Item 16—Authorized Agent Name**: If you are the designated authorized agent and you are submitting an application on behalf of the company (including foreign) indicated in Item 1, provide your name, address, etc. [See 40 CFR Part 152.50(3)]

NOTE	If a foreign company official changes or elects an Authorized Agent to represent their company, they must specify the designation on **their company letterhead** (**translated into English**). Provide the authorized agent's company name, mailing address and telephone number details in the letter. Attach the letter to the application request (EPA Form 3540-8). **In addition**, all companies should send a copy of the letter to the Office of Pesticides Programs. It may be fax to 703-305-7670.

- **Items 17— Authorized Agent Organization**: As the designated authorized agent, provide your company name.

- **Items 18 to 21—Mailing Address**: Please provide the mailing address where EPA can contact you on behalf of the company and/or establishment.

- **Item 22—Phone Number**: Please enter the telephone number EPA should use to contact you about the pesticide company and/or establishments.

- **Item 23—eMail**: Please enter your eMail address (optional).

Signature Certification

- **Items 24 and 25—Name and Title of Company Official or Authorized Agent**: Please enter the name and title of the person who is responsible for the establishment to the requirements of FIFRA section 7. **Note:** If you are the authorized agent submitting this application, please enter your name and title.

- **Items 26 and 27—Signature of Company Official or Authorized Agent**: The company official and/or authorized agent listed in Item 24 must sign and date the application in order for it to be processed. **Note:** If you are the authorized agent listed in Item 16—23, you must sign and date the application in order for it to be processed.

Establishment Information

NOTE	Please complete Items 28 through 34 for each producing establishment you wish to register with EPA. You may register establishments in multiple states on this form.

- **Item 28—Establishment Name**: Please enter the name of the establishment being registered with EPA.

NOTE	Each establishment requesting to be registered must be operated by the company identified in Item 1.

- **Items 29 to 32—Site Address**: Please provide the physical address, **not a post office box or route number**, where your establishment is located. For foreign establishments, zip code is equivalent to postal code, post code or postcode.
- **Items 33 to 36—Mailing Address**: Please provide the mailing address for the establishment if different from the site address (if identical to above, write SAME).
- **Item 37—Phone Number**: Please enter the phone number for the establishment. For foreign establishments, please provide the country code.
- **Item 38—eMail**: Please enter an eMail address EPA can use to contact the establishment (optional).

Before You Submit Your Application:

- Did you enter your company number received from the Office of Pesticides Programs? (Item 2)
- Did you remember to sign your application? (Item 26)
- Did you include your company Ownership Code? (Item 13)
- If you are designating an Authorized Agent, is the letter attached? (See note at Item 16)
- Did you include all the Authorized Agent information? (Item 16—23)
- Are you sending your establishment applications to the correct Regional or Headquarters contact? (See Page 7)
- **If you are changing or electing an Authorized Agent for your Company and/or Establishment, did you also notify the Office of Pesticide Programs?** (See note at Item 16)
- **If more than one page is used to list establishments, please complete the statement, "This is page ___ of ___."**
- **Please proofread your application before submittal. Errors in your application will delay the process.**

Where Should I Send my Completed Application?

- **Domestic producers** should submit the application to the EPA Regional Office where your company headquarters is located. (See Page 7)
- **Foreign producers** should submit the application to the EPA office in Washington, DC. If the authorized agent is listed, EPA will send the notification to the authorized agent. (See Page 7)

What Happens after I File this Application?

- Upon receipt of the completed application, **EPA will assign a unique number** to each establishment registered **and notify the company or authorized agent** of the registration(s).
- You must submit an initial report on EPA Form 3540-16 **(**Pesticide Report for Pesticide-Producing and Device-Producing Establishments) (http://www.epa.gov/compliance/monitoring/programs/fifra/establishments.html) to EPA **within 30 days** after receipt of notification of establishment registration. Failure to file the initial report is an unlawful act and may result in termination of the establishment's registration or a civil penalty assessment. In addition to the initial report, an annual report is due to EPA by March 1 of every year.
- Each producing establishment must place its assigned EPA establishment number on the immediate container or label of each pesticide, device or active ingredient produced.
- Your registration will remain effective as long as you file an annual production report (EPA Form 3540-16) with the Agency. If you wish to terminate your establishment registration, please send a letter to EPA using your company letterhead with the request. Failure to report annually as required may result in termination of your establishment's registration or a civil penalty assessment (40 CFR Part 167).

When Should my Company or Establishment Information be Revised?

- If any information changes after you file your application, you must report to EPA those changes in writing on company letterhead or on EPA Form 3540-8 within 30 days. If you inform us using 3540-8, please specify what information has changed. (http://www.epa.gov/compliance/monitoring/programs/fifra/establishments.html).

Where to Submit Applications

DOMESTIC PRODUCERS: Submit applications to the following EPA Regional Office **where your company headquarters is located.**

EPA Regional Offices	States/Terr. Covered	EPA Regional Offices	States/Terr. Covered
U.S. EPA Region 1 **Kan Tham** Toxics and Pesticides Unit (OES 05-4) 5 Post Office Square, Suite 100 Boston, MA 02109-3912 Telephone: 617-918-1872	**CT, MA** **ME, NH** **RI, VT**	**U.S. EPA Region 6** **Chuck Ruple** Pesticides Section (6PD-P) 1445 Ross Avenue Dallas, TX 75202-2733 Telephone: 214-665-6534	**AR, LA** **NM, OK** **TX**
U.S. EPA Region 2 **Michael Kramer** Pesticides Team (MS-500) 2890 Woodbridge Avenue Edison, NJ 08837-3679 Telephone: 732-321-6610	**NJ, NY** **PR, VI**	**U.S. EPA Region 7** **Delbert Kelley** Pesticides Section (WWPD/TOPE/PEST) 901 N. 5th Street Kansas City, KS 66101-2798 Telephone: 913-551-7371	**IA, KS** **MO, NE**
U.S. EPA Region 3 **Kyla Townsend-McIntyre** Pesticides and Asbestos Programs Branch (3LC62) 1650 Arch Street Philadelphia, PA 19103-2029 Telephone: 215-814-2045	**DC, DE** **MD, PA** **VA, WV**	**U.S. EPA Region 8** **Kathleen Craig** Enforcement Division (8ENF-PJ) 1595 Wynkoop Denver, CO 80202 Telephone: 303-312-6049	**CO, MT** **ND, SD** **UT, WY**
U.S. EPA Region 4 **Mary Summers** Chemical Products & Asbestos Section 61 Forsyth Street, SW 12th Floor Atlanta, GA 30303 Telephone: 404-562-8997	**AL, FL** **GA, KY** **MS, NC** **SC, TN**	**U.S. EPA Region 9** **Glenda Dugan** Pesticides Office (CED-5) 75 Hawthorne Street San Francisco, CA 94105-3901 Telephone: 415-947-4204	**AZ, CA** **GU, HI** **MP, NV**
U.S. EPA Region 5 **Gail Muffitt** PTCS (LC-8J) 77 W. Jackson Blvd. Chicago, IL 60604-3507 Telephone: 312-886-6008	**IL, IN** **MI, MN** **OH, WI**	**U.S. EPA Region 10** **Erin Williams** Pesticides and Toxics Unit (OCE-084) 1200 Sixth Avenue, Suite 900 Seattle, WA 98101-1128 Telephone: 206-553-4627	**AK, ID** **OR, WA**

FOREIGN PRODUCERS: Submit applications to the **following EPA Washington, DC address:**

U.S. Postal Service Mail Address	Courier Delivery Address
Michelle Stevenson U.S. Environmental Protection Agency Pesticides, Waste & Toxics Branch (2225A) 1200 Pennsylvania Avenue, NW Washington, DC 20460-0001 USA Telephone: 202-564-4203	Michelle Stevenson U.S. Environmental Protection Agency Pesticides, Waste & Toxics Branch Ariel Rios Building -- South 1200 Pennsylvania Avenue, NW, Room 6102 Washington, DC 20004 USA