

## INSTRUCTIONS TO REGISTRANTS FOR FILING 2016 PESTICIDE REGISTRATION MAINTENANCE FEES

The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) requires everyone who holds an active or suspended pesticide registration to pay an annual fee to keep the registration in effect. **Please note that checks, bank drafts and money orders are no longer an acceptable form of payment.**

The fee is **\$3,472 for each registration** up to the maximum fees which can be assessed to a single registrant. For certain qualified small businesses, there is now a provision for a **25% waiver of the fee on the first product**. A qualified small business must have 500 or fewer employees; during the 3-year period prior to the most recent maintenance fee billing, have **average annual global gross revenue from all sources (includes pesticide and non-pesticide revenue)** that did not exceed \$10 million; and hold not more than 5 Section 3 and Section 24(c) pesticide registrations combined. See fee schedules on page 10 for details. The following **documentation is required** in order for Agency staff to evaluate your eligibility for the 25% waiver:

- Documentation of payroll information such as a recent IRS Form 941 or a statement certifying the total number of individuals employed by the applicant;
- Documentation of the 3-year average annual global gross revenue (2012, 2013 and 2014) from all sources which may include the first page of IRS Forms 1065, 1120, or 1120S, as applicable, or audited financial statements. Please note that financial information must include any parent company or affiliates.

**2016 MAINTENANCE FEES ARE DUE BY JANUARY 15, 2016**

### **Pay On-Line (See Page 8 for Instructions)**

Registrations for which the fee is not paid will be canceled, by order and without a hearing. If you do not pay the fee to keep a registration in effect, you will be permitted until January 15, 2016, to dispose of existing stocks of the pesticide, except in special circumstances when less time may be granted.

#### **Paperwork Reduction Act Notice**

*Public reporting burden for the collection of information is estimated to average 0.9 hours per response, including time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to:*

Director, Collection Strategies Division (2822)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

Or to: Office of Information and Regulatory Affairs  
Office of Management and Budget  
Washington, DC 20503

Include the OMB Number (OMB 2070-0179) in any correspondence.

## **CONTENTS OF MAILING**

Please ensure that you have received the following items via mail which will be sent in November, 2015:

- A transmittal letter from Jack Housenger, the Director of the Office of Pesticide Programs;
- A computer printout listing all your active or suspended registrations under either section 3 or section 24(c), as shown in our records as being registered on or before October 1, 2015 and do not have a pending cancellation notice in the Federal Register; and
- The Pesticide Registration Maintenance Fee Filing Form already labeled with your EPA company number and company name and address of record for filing your response.

You will need all of these items. If any of them are missing, you can get replacements by calling our toll free maintenance fee line at **1-800-444-7255**.

## **GENERAL INSTRUCTIONS**

You must choose which of your registrations to support by paying the maintenance fee, and which to ask us to cancel. You report your decisions about individual registrations to us by annotating the computer printout. You then summarize your decisions on the Pesticide Registration Maintenance Fee Filing Form and return the annotated printout and a copy of the form. See mailing instructions on page 8 of these instructions.

## **REGISTRATIONS SUBJECT TO THE MAINTENANCE FEE**

The fee must be paid to keep in effect all primary registrations granted under FIFRA section 3, and all registrations to meet special local needs granted under FIFRA section 24(c). Please note that only products registered on or before October 1, 2015, are subject to the 2016 maintenance fee. Products currently under a pending cancellation notice in the Federal Register have been removed from product listings because a maintenance fee cancellation cannot supersede the pending cancellation notice.

Section 3 registrations for which the maintenance fee is required are identified in the printout by a two-element registration number in which your EPA Company Number is the first element. Section 24(c) registrations for which the maintenance fee are required are identified in the printout by a three-element number including the abbreviation of the state issuing the registration, the last two digits of the year it was issued, and a four-digit serial number.

## **FEE WAIVER FOR MINOR AGRICULTURAL USE**

The 1990 Farm Bill amended FIFRA to allow the Administrator to reduce or waive maintenance fees for minor agricultural use registrations, when she determines that the fee would be likely to cause significant impact on the availability of the pesticide for the use. If you believe that one or more of your registrations may qualify for this reduction or waiver, please call the toll free maintenance fee line at 1-800-444-7255 for special instructions.

## **FEE WAIVER FOR PUBLIC HEALTH PESTICIDES AS DEFINED BY THE FOOD QUALITY PROTECTION ACT**

The Food Quality Protection Act (FQPA) allows the Administrator to waive the maintenance fee for public health pesticides if the Administrator determines, based on information supplied by the registrant that the economic return to the registrant from sales of the pesticide does not support the registration or reregistration of the pesticide.

To qualify as a public health pesticide, as defined by FQPA, the following conditions must be met:

1. The public health use of the pesticide product must be a minor use. FIFRA defines “minor use” in Section 2(II).
2. The pesticide must be registered for use **and** used **predominantly** in public health programs.
3. The use of the pesticide in the public health program must be for vector control or for other recognized public health protection purposes.

If you believe that one or more of your registrations meet all three of these criteria, please include a written justification which identifies the product(s) and explains why the product(s) meet the statutory definition of a public health pesticide and why the fee should be waived.

## **25% WAIVER ON THE FIRST PRODUCT FOR QUALIFIED SMALL BUSINESSES**

For certain qualified small businesses, there is now a provision for a 25% waiver of the fee on the first product. A qualified small business must have 500 or fewer employees; during the 3-year period prior to the most recent maintenance fee billing, have **average annual global gross revenue from all sources (includes pesticide and non-pesticide revenue)** that did not exceed \$10 million; and hold not more than 5 Section 3 and Section 24(c) pesticide registrations combined. The following items are required to allow Agency staff to evaluate your eligibility for the 25% waiver:

- Documentation of payroll information such as a recent IRS Form 941 or a statement certifying the total number of individuals employed by the applicant;
- Documentation of the 3-year average annual global gross revenue for the 3-year period prior to this maintenance fee billing (2011, 2012 and 2013) from all sources which may include the **first page** of IRS Forms 1065, 1120, or 1120S, as applicable, or audited financial statements. Please note that financial information must include all data from the company listed on the form and any affiliates.

## **REGISTRATIONS NOT SUBJECT TO THE MAINTENANCE FEE**

The maintenance fee requirement does not apply to supplemental registrations of distributors which are identified by a three-element registration number in which your EPA company number is the third element. No supplemental registrations are included on your product listing.

## **FIRMS WITH MORE THAN ONE EPA COMPANY NUMBER**

If your firm holds registrations under more than one EPA company number, you will receive a separate mailing of each account. It may be to your advantage to combine your maintenance fee filings for all subdivisions of your firm, and discard the other filing forms you received. On this single form for your combined return please be sure to (a) list in block B all the EPA company numbers covered by the combined return, (b) report in block C only the combined totals for all company numbers included in the return, and (c) append to the form you send to EPA the annotated printouts for all the company numbers included in the return.

## **FEE PAYMENT FOR THIRD-PARTY REGISTRATIONS**

If you wish to pay the maintenance fee for a registration held by another firm or third party, please call the toll-free maintenance fee information line at 1-800-444-7255 for special instructions.

## **EPA'S FEDERAL TAX IDENTIFICATION NUMBER**

In case you need it for your internal records of fee payments, the Environmental Protection Agency's Federal Tax Identification Number is 52-085-2695.

## **TOLL-FREE ASSISTANCE**

If you have questions about entries on the computer printout or about how to respond to the maintenance fee requirement, you can get help by calling the toll-free maintenance fee information line at 1-800-444-7255.

## **STEP-BY STEP INSTRUCTIONS**

1. **Check the enclosed computer printout** carefully against your own records and confirm the accuracy of the information. The printout may include some errors, it may include some entries for which you've already requested cancellation, or it may omit some registrations you think are active. Please call any such errors or omissions to our attention when you file your response. Handle any errors or omissions as described below. Call the toll-free line for help if you're not sure.

- a. **Errors in Product Name:** Correct misspellings or other errors in the product name directly on the printout.
  - b. **Previously Canceled Registrations:** If the printout includes registrations you think have already been canceled, circle the keyword "CAN" beside the registration number, and we'll correct the entry in our records. Note that paying the fee will not reactivate a registration which has already been canceled.
  - c. **Pending Cancellations:** If the printout includes registrations you have already asked us to cancel, circle the keyword "CAN" beside the registration number.
  - d. **Suspended Registrations:** You must pay the fee to maintain a registration which has been suspended. Circle the keyword "PAY". Payment of the fee for a suspended registration does not lift the suspension, but non-payment of the fee will result in its cancellation.
  - e. **Transferred Registrations:** If the printout includes registrations for which EPA has already approved in writing a transfer to another registrant, circle the keyword "TRN" beside the registration number, and identify the registrant who received the transfer in the blank to the right of the product name. Please mark this response ONLY for transfers EPA has already approved. If you aren't sure whether a transfer has been approved by EPA, call the toll-free number for help.
  - f. **Registrations included in error:** If the printout includes entries which are not your registrations and were included in error, circle the keyword "ERR" beside the registration number.
  - g. **Omitted Registrations:** If you think an active registration for which you wish to pay the fee has been omitted from the printout, identify it by registration number and product name (or by 24(c) number and description) on a separate sheet of paper, and include that supplemental list with your response.
2. **Decide which registrations to support, and which to cancel.** When you've identified and corrected any discrepancies between the printout and your own records, you must decide which registrations to support by paying the maintenance fee, and which to cancel. This choice is entirely up to you.
3. **Report your decisions** by annotating the printout. Make sure to circle one of the four keywords beside the registration number for each entry. Circle "PAY" if you decide to support the registration by paying the fee. Circle "CAN" if you decide not to pay the fee, and want EPA to cancel the registration.

When you reach the bottom of each page of the printout, count the number of times you've circled each keyword on that page, and write the counts for that page at the bottom of the keyword columns. Continue through any additional pages of the printout. Please double check to ensure that you have circled one keyword for every line on the printout.

#### 4. Complete the Maintenance Fee Filing Form.

##### Section A. Registrant Identification

The EPA company number, registrant name, agent of record (if any) and address of record will all appear on a special label on the form. Type or print legibly any corrections to this information to the right of the label.

##### Section B. Company Numbers

Leave this area blank unless your firm holds registrations under more than one EPA company number and you are filing a combined return for more than one account on a single form. If this is the case enter here all EPA-assigned company numbers covered by this return, and be sure to include all annotated printouts with your response to EPA in Washington, D.C.

##### Section C. Maintenance Fee Determination

**Line 1.** Enter the total number of registrations on all attached printouts for which you circled the keyword "PAY".

**Line 2.** Enter the total number of registrations on all attached printouts for which you circled the keyword "TRN".

**Line 3.** Enter the total number of registrations on all attached printouts for which you circled the keyword "CAN".

**Line 4.** Enter the total number of registrations on all attached printouts for which you circled the keyword "ERR".

**Line 5.** Enter the total number of registrations omitted from the printouts which you've listed separately as additions, and which you will support by paying the fee.

**Line 6.** Enter the sum of lines 1 and 5. This is the total number of registrations you will support by paying the fee.

**Line 7.** Enter the fee due. Determine which Fee Table to use.

##### **TABLE A:**

If you do not meet the qualifications for a Small Business or a Qualified Small Business as described below, use **Fee Table A** on page 10 of these instructions.

##### **TABLE B:**

A Small Business registrant employed 500 or fewer people and during the 3-year period prior to this maintenance fee billing (2011, 2012 and 2013), had average annual global gross revenue **from pesticide sales** that did not exceed \$60 million.

If you qualify, write “Small Business” in the space to the right of line 7 and provide documentation of the number of employees (documentation may, in part, include payroll information and a recent IRS Form 941, together with a statement certifying the total number of individuals employed by the applicant) and the 3-year average annual global gross revenue from pesticide sales (documentation may include the **first page** of income tax returns filed with the Internal Revenue Service which includes gross receipts or sales, such as IRS Forms 1065, 1120, or 1120S, as applicable, the applicant’s most recent IRS 941, and audited financial statements). A Small Business shall use **Fee Table B** on page 10 of these instructions.

**TABLE C:**

A Qualified Small Business registrant employed 500 or fewer people and during the 3-year period prior to this maintenance fee billing (2011, 2012 and 2013), had **average annual global gross revenue from all sources (includes pesticide and non-pesticide revenue)** that did not exceed \$10 million, and hold not more than five (5) Section 3 and Section 24(c) pesticide registrations combined. If you qualify, write “Qualified Small Business” in the space to the right of line 7 and provide documentation of the number of employees (documentation may, in part, include payroll information and a recent IRS Form 941, together with a statement certifying the total number of individuals employed by the applicant) and the 3-year average annual global gross revenue from all sources, pesticide and non-pesticide (documentation may include the **first page** of income tax returns filed with the Internal Revenue Service which includes gross receipts or sales, such as IRS Forms 1065, 1120, or 1120S, as applicable, the applicant’s most recent IRS 941, and audited financial statements). A Qualified Small Business shall use **Fee Table C** on page 10 of these instructions.

Using the appropriate Fee Table, either Table A, Table B or Table C, determine the fee due by looking up the number you've entered on line 6--the number of registrations you will support--in the appropriate Fee Table at the end of these instructions, and enter the fee amount from the table in line 7. This is the amount due by January 15, 2016. If the number on line 6 is zero, enter a zero on line 7 as well.

**Line 8.** Enter Pay.gov 8-digit Tracking ID or electronic transfer reference number. **Please note that checks, bank drafts and money orders are no longer an acceptable form of payment.**

**Section D. Authorized Company Representative**

Type or print the name, title, telephone number, and email address of the person signing the filing form. Sign it and date it.

## 5. Pay the Fee

**Please note that checks, bank drafts and money orders are no longer an acceptable form of payment for the pesticide maintenance fee.**

### **Pay Maintenance Fees On-Line**

Maintenance fees may be paid on-line via credit card or electronic fund transfer. To submit a payment on-line, visit **www.pay.gov**. From the pay.gov home page, click on "Make a Payment." On the next page, Scroll down and select option #3, "Click here to view a listing of all forms." From the next page, select "P," then click on "**Pesticide Registration Maintenance Fee**" and complete the form. The maximum amount that may be charged to a credit card is \$24,999. There is no limit on the amount that may be paid via electronic fund transfer (Bank Account – ACH).

Payments also may be made via the Credit Gateway ACH Payment and Fedwire (international). These payments are direct payments from the customer bank to Federal Reserve Bank. Please go to <http://www2.epa.gov/pria-fees/templates-and-instructions-pria-fee-payments> for templates and forms and please note that a maintenance fee payment is a FIFRA payment. Contact our toll free maintenance fee line at 1-800-444-7255 if you have any questions.

- 6. Mail your return.** Attach all pages of the annotated printout and any supplemental listings of omitted registrations, the original copy of the filing form and the receipt from your on-line payment and mail it to:

U.S. Environmental Protection Agency  
Office of Pesticide Programs (7504P)  
Document Processing Desk (MFEE)  
1200 Pennsylvania Ave., NW  
Washington, DC 20460-0001

If you prefer to send the filing form and annotated printout via **private courier** (Fed Ex, UPS, etc.), please use the following address:

U.S. Environmental Protection Agency  
Office of Pesticide Programs (7504P)  
Document Processing Desk (MFEE)  
Room S-4900  
2777 South Crystal Drive  
Arlington, VA 22202



## FINAL CHECKLIST

Before mailing your response, make sure you:

- Circle one of the four keywords on every numbered line in the printout.
- List by registration number and product name any registrations omitted from the printout that are active registrations for which you are paying the fee.
- Sign and date the filing form and include in Section D the name, email address and telephone number of someone who will be able to answer questions about your response.
- Include a copy of the receipt from your on-line payment.
- Make two copies of the filing form.
- If you are a Small Business or a Qualified Small Business, please include documentation of the number of employees. Documentation may, in part, include payroll information and a recent IRS Form 941, together with a statement certifying the total number of individuals employed by the applicant and the 3-year average sales. This documentation may include the first page of income tax returns filed with the Internal Revenue Service which includes gross receipts or sales, such as IRS Forms 1065, 1120, or 1120S, as applicable for 2012, 2013 and 2014, the applicant's most recent IRS 941, and audited financial statements.
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- Keep one copy of the filing form for your records.
- Attach all pages of the annotated printout(s) to one copy of the filing form and mail it to Washington, DC or send it by courier to Arlington, VA.

## REMINDERS

- Maintenance fee responses must be **postmarked by January 15, 2016**
- EPA Federal Tax Identification Number: 52-085-2695.
- Toll-free Maintenance Fee Information Line: 1-800-444-7255.

**Fee Table A**  
**Fee Payments Required to Maintain Registrations in 2016**

# Regs	Fee (\$)	# Regs	Fee (\$)	# Regs	Fee (\$)	# Regs	Fee (\$)
1	\$3,472	16	\$55,552	31	\$107,632	62	\$157,164
2	\$6,944	17	\$59,024	32	\$111,104	63	\$160,636
3	\$10,416	18	\$62,496	33	\$114,576	64	\$164,108
4	\$13,888	19	\$65,968	34 – 50	\$115,500	65	\$167,580
5	\$17,360	20	\$69,440	51	\$118,972	66	\$171,052
6	\$20,832	21	\$72,912	52	\$122,444	67	\$174,524
7	\$24,304	22	\$76,384	53	\$125,916	68	\$177,996
8	\$27,776	23	\$79,856	54	\$129,388	69	\$181,468
9	\$31,248	24	\$83,328	55	\$132,860	70 +	\$184,800
10	\$34,720	25	\$86,800	56	\$136,332		
11	\$38,192	26	\$90,272	57	\$139,804		
12	\$41,664	27	\$93,744	58	\$143,276		
13	\$45,136	28	\$97,216	59	\$146,748		
14	\$48,608	29	\$100,688	60	\$150,220		
15	\$52,080	30	\$104,160	61	\$153,692		

**Fee Table B**  
**Fee Payments Required to Maintain Registrations in 2016 for a Small Business**

# Regs	Fee (\$)	# Regs	Fee (\$)	# Regs	Fee (\$)	# Regs	Fee (\$)
1	\$3,472	11	\$38,192	21 – 50	\$70,600	60	\$105,320
2	\$6,944	12	\$41,664	51	\$74,072	61	\$108,792
3	\$10,416	13	\$45,136	52	\$77,544	62	\$112,264
4	\$13,888	14	\$48,608	53	\$81,016	63	\$115,736
5	\$17,360	15	\$52,080	54	\$84,488	64	\$119,208
6	\$20,832	16	\$55,552	55	\$87,960	65 +	\$122,100
7	\$24,304	17	\$59,024	56	\$91,432		
8	\$27,776	18	\$62,496	57	\$94,904		
9	\$31,248	19	\$65,968	58	\$98,376		
10	\$34,720	20	\$69,440	59	\$101,848		

**Note: Use this table only if you qualify as a small business as defined in FIFRA Section 4(i)(5).  
Documentation is required in order to use Fee Table B. See page 6 of these instructions.**

**Fee Table C**  
**Fee Payments Required to Maintain Registrations in 2016 for a Qualified Small Business**

# Regs	Fee (\$)
1	\$2,604
2	\$6,076
3	\$9,548
4	\$13,020
5	\$16,492

**Note: Documentation is required in order to use Fee Table C. See pages 3, 6 and 7 of these instructions.**