

information on critical diagnostic needs, the current state of the science, and research needs for and feasibility of developing diagnostic tools to identify exposure to a specific chemical/level.

DATES: The Pesticide Worker Safety and Health Conference will be held on October 2, 3, and 4, 2007, as follows: on October 2 from 1 p.m. to 6 p.m.; on October 3 from 8:30 a.m. to 5:30 p.m.; and on October 4 from 8:30 a.m. to noon. The Diagnostic Tools Workshop will be held on October 4, 2007, from 1:30 p.m. to 5:30 p.m.

To request accommodation of a disability, please contact the persons listed under **FOR FURTHER INFORMATION CONTACT**, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

ADDRESSES: The conference and workshop will be held at the Hilton Crystal City, 2399 Jefferson Davis Highway, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT: Questions regarding the Pesticide Worker Safety and Health Conference should be referred to: Elizabeth Evans, Field and External Affairs Division (7506P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-7891; fax number: (703) 308-2962; e-mail address: worker_safety_health_conference@epa.gov.

Questions regarding the Diagnostic Tools Workshop should be referred to: Elizabeth Mendez, Health Effects Division (7509P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number (703) 305-5453; fax number (703) 305-5147; e-mail address: Mendez.elizabeth@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you represent federal or state agencies or organizations which are involved or interested in pesticide worker safety and health programs, policies and research initiatives. Potentially affected entities may include, but are not limited to:

Federal and state agencies, organizations and other stakeholders interested in pesticide worker safety and health programs, policies and research initiatives, including, but not limited to: Environmental occupational health and safety specialists, health care providers, epidemiologists, state departments of

health, poison control centers, migrant clinicians, federal agencies, state lead agencies, grower organizations, and farmworker organizations.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket ID number EPA-HQ-OPP-2007-0960. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of the Docket Facility are 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "Federal Register" listings at <http://www.epa.gov/fedrgstr>.

II. Background & Agendas

A. Pesticide Worker Safety and Health Conference

This Conference will focus on measuring the impact of current worker protection initiatives and developing effective interventions where protective gaps exist. The conference will also highlight the accomplishments of the Agency's worker protection initiatives in partnership with our grantees. Breakout sessions are planned for Wednesday, October 3 with expert presentations and panel discussions on: Take-home pesticide exposure and families of farmworkers; advances in engineering controls; education and training of farmworkers and pesticide applicators; administrative and policy solutions to better protect the pesticide workforce; risk communication strategies and lessons learned; the role of surveillance of occupational pesticide-related illnesses and injuries; worker exposure assessment, strengths and weaknesses in data collection.

B. Diagnostic Tools Workshop

One of the major challenges faced by health care professionals in the diagnosis and treatment of ailments associated with pesticide exposure is the lack of tests to identify specific chemicals and/or levels of exposure that may be linked to the reported illnesses. As a result, there is increasing interest in the development of more sophisticated diagnostic tools to help

clinicians diagnose and prescribe effective courses of treatment. The goal of the Diagnostic Tools Workshop is to gather information on critical diagnostic needs, the current state of the science, and the research needs for and feasibility of developing diagnostic tools to identify exposure to a specific chemical/level.

Planned agendas for both the Pesticide Worker Safety and Health Conference and the Diagnostic Tools Workshop are posted on the website at: www.epa.gov/pesticides.

III. How Can I Request to Participate in these Meetings?

Both of these meetings are open to the public. Persons interested in attending the Pesticide Worker Safety and Health Conference should go to EPA's website to register (at no cost) at: www.epa.gov/pesticides. The Diagnostic Tools Workshop is open to the public and seating is available on a first-come basis.

List of Subjects

Environmental protection, Pesticide worker safety, Farmworker.

Dated: September 17, 2007.

William R. Diamond,

Director, Field and External Affairs Division, Office of Pesticide Programs.

[FR Doc. E7-18706 Filed 9-20-07 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-0949; FRL-8149-4]

Pesticide Registration; Clarification for Ion-Generating Equipment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: With this notice, the Agency clarifies its position on the distinction between devices and pesticides with regard to ion-generating equipment and explains why such equipment is regulated as a pesticide. The notice also invites all interested parties to collaborate with the Agency in identifying data and other information that would be needed to support registration of these products. Through this notice, the Agency is establishing a process and a timeline for any parties affected by this notice to come into compliance with the clarified requirements of Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

FOR FURTHER INFORMATION CONTACT: Melba S. Morrow, Antimicrobials

Division (7510P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-2716; fax number: (703) 308-8481; e-mail address: morrow.melba@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be affected by this action if you sell or distribute ion-generating equipment that uses electrodes to emit chemical substances for pesticidal purposes. Potentially affected equipment include but are not limited to, washing machines containing electrodes that emit silver, copper, or zinc ions and ion generators used in swimming pools to kill algae and as an adjunct to the chlorination process.

This listing is not exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of technology not listed in this notice could also be affected. The Agency requests information on any other type of equipment that generates ions from electrodes for pesticidal purposes that could be covered under this notice.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-0949. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr>.

II. Background

A. What Action is the Agency Taking?

In a **Federal Register** notice published on November 19, 1976 (41 FR 51065), EPA consolidated and clarified the requirements applicable to pest control devices and device producers. In that notice, the Agency listed the types of products that would be affected by the

notice and further provided a distinction between devices and pesticides. The notice clearly stated that if an article uses physical or mechanical means to trap, destroy, repel, or mitigate any pest, it is considered to be a device. In contrast, if the article incorporates a substance or mixture of substances to prevent, destroy, repel, or mitigate any pest, it is considered to be a pesticide.

In September 2005, Agency staff advised a manufacturer that washing machines utilizing silver electrodes to produce silver ions for the pesticidal purpose of killing germs are considered devices rather than pesticides, and do not require registration. However, the Agency has since determined that under the statutory interpretation set out in the 1976 policy statement, such ion-generating equipment would require registration as a pesticide under FIFRA. This notice provides additional clarification of the Agency's longstanding position, and gives the regulated community time to come into compliance with the requirements of FIFRA.

B. What is the Agency's Authority for Taking this Action?

Under FIFRA, it is unlawful to sell or distribute any "pesticide" unless it is registered by EPA pursuant to FIFRA section 3. EPA has authority to register pesticides under FIFRA section 3, and therefore to interpret the terms "pesticide" and "device" for purposes of determining what is and what is not subject to the registration requirements of FIFRA.

C. EPA's Interpretations of "Pesticide" and "Device" Under FIFRA

In the 1976 **Federal Register** notice that consolidated and clarified requirements for pest control devices and device producers, EPA stated its interpretation of the statutory terms "pesticide" and "device" for the purpose of distinguishing between items that were subject to the registration requirements of FIFRA (i.e., pesticides) and those that were not (i.e., devices).

Section 2(h) of FIFRA defines "device" as "any instrument or contrivance (other than a firearm) which is intended for trapping, destroying, repelling or mitigating any pest." Section 2(u) of FIFRA defines "pesticide" as "any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest." In the 1976 **Federal Register** notice, EPA stated its statutory interpretation that the primary distinction between pesticides and devices was the means by which they achieved their pesticidal purpose. "If an

article uses physical or mechanical means to trap, destroy, repel [sic], or mitigate any [pest], it is considered to be a device. If the article incorporates a substance or mixture of substances intended to prevent, destroy, repel [sic], or mitigate any pest, it is considered to be a pesticide." (41 FR 51065).

Therefore, the key distinction between pesticides and devices is whether the pesticidal activity of the article is due to physical or mechanical actions or due to a substance or mixture of substances. Some of the types of products that were specifically identified as devices in the notice included, but were not limited to, ultra violet light systems, ozone generators, water and air filters (except those containing substances or mixtures of substances), and ultrasonic devices making claims to inactivate, entrap, or suppress the growth of fungi, bacteria, or viruses in various sites. At the time of the 1976 **Federal Register** notice, EPA was not aware of equipment such as the ion generating washing machine that was presented to EPA in 2005. In addition to the washing machine, EPA is also aware of other ion-generating equipment that is subject to this clarification.

The articles covered by this notice are ion generators that incorporate a substance (e.g., silver or copper) in the form of an electrode, and pass a current through the electrode to release ions of that substance for the purpose of preventing, destroying, repelling, or mitigating a pest (e.g., bacteria or algae). Because these items incorporate a substance or substances that accomplish their pesticidal function, such items are considered pesticides for purposes of FIFRA, and must be registered prior to sale or distribution.

D. Implementation

EPA is aware that there may be some confusion in the regulated community regarding EPA's interpretation of the distinction between pesticides and devices. EPA will work with producers of ion generators to identify what data and other information are required to support an application for registration and to obtain registrations to bring such equipment into compliance for equipment being distributed or sold in the United States on the date of publication of this notice. Any person distributing or selling such equipment on or prior to the date of publication of this notice may continue the distribution or sale of such equipment for 6 months from the date of publication of this notice, March 21, 2008.

Any producer or importer of such equipment distributing or selling the equipment on or prior to the date of publication of this notice who wishes to continue that distribution or sale after 6 months from the date of publication of this notice, March 21, 2008, may do so only if a prospective registrant has commenced the registration process for the equipment by submitting, at a minimum, an Application for Pesticide Registration Form (EPA Form No. 8570-1) for the equipment. This form should be submitted to EPA on or before March 21, 2008. On the form, only the following information must be provided: Section I, Item 4: Company and Product Name; Section I, Item 5: Name and Address of Applicant; Section II, check "other" and place in explanation "Ion Generator FR Notice;" and all of Section IV. Persons distributing or selling such equipment on or prior to the date of publication of this notice other than the producer or importer may continue to distribute or sell such equipment until their inventories are exhausted. An electronic version of this form is *available at* <http://www.epa.gov/opprd001/forms>.

Further, any producer or importer of such equipment who is distributing or selling the equipment on or prior to the date of publication of this notice who wishes to continue that distribution or sale after 18 months from the date of publication of this notice, March 23, 2009, may do so only if a prospective registrant has submitted to EPA a completed registration package for the equipment on or before March 23, 2009. Producers or importers of such equipment may continue to distribute or sell such equipment pursuant to this paragraph only until such time as EPA acts upon the application or the application is withdrawn. Again, persons distributing or selling such equipment on or prior to the date of publication of this notice other than the producer or importer may continue to distribute or sell such equipment until their inventories are exhausted.

The completed one page application, EPA Form No. 8570-1, may be submitted to EPA by mail or by courier:

1. *Mail* (U.S. Postal Service):
Document Processing Desk (AD ION)
Office of Pesticide Programs (7504P)
Environmental Protection Agency
1200 Pennsylvania Ave., NW.
Washington, DC 20460-0001.

2. *Courier*:
Document Processing Desk (AD ION)
Office of Pesticide Programs (7504P)
Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Dr.
Arlington, VA 22202-4501.

List of Subjects

Environmental protection, Copper ions, Ion-generating equipment, Pesticide devices, Pesticides and pests, Silver ions, Zinc ions.

Dated: September 13, 2007.

Anne E. Lindsay,

Acting Director, Office of Pesticide Programs.

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FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System

SUMMARY: Background

On June 15, 1984, the Office of Management and Budget (OMB) delegated to the Board of Governors of the Federal Reserve System (Board) its approval authority under the Paperwork Reduction Act, as per 5 CFR 1320.16, to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board under conditions set forth in 5 CFR 1320 Appendix A.1. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the Paperwork Reduction Act Submission, supporting statements and approved collection of information instruments are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

Request for comment on information collection proposals

The following information collection, which is being handled under this delegated authority, has received initial Board approval and is hereby published for comment. At the end of the comment period, the proposed information collection, along with an analysis of comments and recommendations received, will be submitted to the Board for final approval under OMB delegated authority. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Federal Reserve's functions; including whether the information has practical utility;

b. The accuracy of the Federal Reserve's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

c. Ways to enhance the quality, utility, and clarity of the information to be collected; and

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Comments must be submitted on or before November 20, 2007.

ADDRESSES: You may submit comments, identified by (FR 29a,b; OMB No. 7100-0290) by any of the following methods:

- Agency Web Site: <http://www.federalreserve.gov>. Follow the instructions for submitting comments at <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- E-mail: regs.comments@federalreserve.gov. Include docket number in the subject line of the message.

- FAX: 202/452-3819 or 202/452-3102.

- Mail: Jennifer J. Johnson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, N.W., Washington, DC 20551.

All public comments are available from the Board's web site at www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper in Room MP-500 of the Board's Martin Building (20th and C Streets, N.W.) between 9:00 a.m. and 5:00 p.m. on weekdays.

Additionally, commenters should send a copy of their comments to the OMB Desk Officer by mail to the Office of Information and Regulatory Affairs, U.S. Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street, NW., Washington, DC 20503 or by fax to 202-395-6974.

FOR FURTHER INFORMATION CONTACT: A copy of the PRA OMB submission including, the proposed reporting form and instructions, supporting statement, and other documentation will be placed into OMB's public docket files, once approved. These documents will also be made available on the Federal Reserve Board's public website at: <http://www.federalreserve.gov>