

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)  
PESTICIDES EXPORT POLICY  
INTERPRETIVE GUIDANCE  
ISSUE: MULTILINGUAL LABELING

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The following questions and answers are intended to assist in compliance with the Environmental Protection Agency's February 18, 1993 policy (58 FR 9062) regarding the exportation of pesticides. This installment of interpretive guidance addresses the requirement that certain labeling statements appear in English and in the languages of destination countries if known or reasonably ascertainable by the exporter.

1. Is the exporter required to meet multilingual labeling requirements for each intermediate country when the product is off-loaded or transhipped through an intermediate country?

If the exporter knows or can reasonably be expected to know that a product will be off-loaded or otherwise handled in an intermediate country, the product's multilingual labeling must include that country's language. This applies to products which are intended only for transshipment through a particular country, if the exporter knows or can be reasonably expected to know that the product may be off-loaded or otherwise handled during such transshipment. If a product is expected to officially enter the Customs territory of the country, or to be shipped via normal ground freight (i.e., motor vehicle or rail freight) through that country, it is reasonable to expect that the product may be handled in such country and the exporter must label it appropriately. On the other hand, a product which is not expected to enter Customs territory of a particular country and is expected to be transported via a carrier which minimizes the chance that it will be off-loaded or otherwise handled in that country, such as by air freight which only passes through the air space above a country or by a ship which only passes through the territorial waters or docks without handling cargo, would not be required to be labeled in the language of that country.

2. Is the exporter required to meet multilingual labeling requirements for each intermediate country when the product is rerouted after shipment?

In some cases, yes. If the exporter knows or can be reasonably expected to know that the product will be transhipped through a particular country on its way to its final destination, or that the product will be shipped on to a different country after arriving at the country of initial import, the exporter is responsible for providing the necessary labeling information in the languages that are appropriate to each of the countries. An exporter would be responsible for labeling in the languages of countries that a product is routed through if the product can be reasonably expected to be routed through such countries based on past history or practical considerations based on the nature of the shipment. However, knowledge that only becomes available to the exporter after the shipment has left the United States--such as a change in shipment routing that occurs after a ship has left port--is not relevant to the labeling requirements of that shipment.

3. Is the exporter required to meet multilingual labeling requirements for end products when the product is to be reformulated by the foreign purchaser for a final destination?

No. The labeling requirements of FIFRA as stated in the EPA's policy apply only to the actual product which is exported from the United States. Once the product is reformulated or repackaged it is no longer the same product that was exported.

4. For bulk shipments to a parent company, i.e., where the parent company repackages/reformulates the product, will the language of the country of the parent company be acceptable?  
The policy requires that the pesticide product be labeled in the language of the importing country. The language of the parent company may be present as well, but the language of the importing country is the one that is required.
5. What reference may a company use to determine what language is appropriate for a particular foreign country? What is the correct language to use when one or more languages are common to a country?

Exporters may base their selection of languages for compliance with labeling requirements on any recent, authoritative source. EPA believes that a number of such sources are publicly available. As the policy states (40 CFR 168.65(b)(4)(ii)), either the language which is used to conduct official government business, or the predominantly spoken or written language of the country must appear on the labeling. If there is doubt concerning which of two commonly used languages should be used, exporters are encouraged on the principles of good product stewardship to use both if this will improve the communication of information to handlers. For example, a product shipped to Montreal, Canada, labeled in English would satisfy FIFRA requirements since English is one of the official languages of Canada. However, since French is generally required in Canadian labeling, and since French is predominantly spoken in the locale of import, the exporter would be encouraged to label in French as well as English.

6. Is it permissible to produce generic labeling statements in several languages determined to cover a number of different situations? What would the implications be of having more languages than necessary or, conversely, missing one or two languages but having most situations covered?

Generic labeling, which includes several languages to accommodate all of the potential destinations, may be used even if no one given shipment is expected to require all such languages. However, the multilingual labeling requirement must be met for each country to which a product is known or reasonably expected to be shipped. If a shipment is inadequately labeled for any of the countries that the

exporter knows, or can be reasonably expected to know that it will be shipped to, it will be considered misbranded.