

Refiller / Container Inspection Questions

1. Does this facility location repack or refill pesticides for retail sale? Y or N
2. Is this refiller establishment registered w/EPA as a producing establishment, as required by 40 CFR 167.20? Y or N
3. List the Common Name, Registrant, EPA Reg. No. & EPA Est. No. of each pesticide product that is repackaged at this facility location.

4. Does the refiller have the following items for each product listed above, prior to repackaging?
 - The label & labeling. Y or N
 - The residue removal procedure. Y or N
 - The list of acceptable containers. Y or N
 - The signed and written repackaging contracts. Y or N
5. When repackaging for retail, are the above mentioned pesticides being repackaged into refillable containers that are identified on the registrant's lists of acceptable containers? Y or N
6. Does the Refiller identify the pesticide previously contained in a container that is going to be refilled (by looking at the label) to determine if it's necessary to clean the container?
Y or N
7. Does the refiller visually inspect a refillable container prior to refilling to determine whether the container meets the specified criteria with respect to container integrity, required markings and openings? 165.65(d)(7)&(e), 165.70(e)(7)&(f)
Y or N
8. When refillable tanks need to be cleaned, does the refiller follow the residue removal procedures provided by the pertinent registrant? Cleaning of containers is not required when one-way valves and tamper-evident devices are intact and either of the conditions below is met.
 - The container is being filled with the same pesticide that it previously held.
 - The container previously held a pesticide with a single active ingredient, the container is being used to repack a pesticide with the same single active ingredient, and there is no change that causes the repackaged pesticide to not meet the product integrity standard.Y or N
9. Does the refiller ensure that the pesticide's label is securely attached to the refillable container and does the refiller ensure that the net contents and EPA establishment number (assigned to the refiller) appear on the label?
Y or N
10. Does the refiller conduct pressure / leak-proof testing (min. of 3 psi for 5 minutes) and an external inspection every 2.5 years on UN marked portable refillable containers that have a capacity \geq than 119 gallons? Is there an internal inspection of the same containers every 5 years? Are these test dates recorded on the container? Are records kept regarding these test dates for **three years**? (record = 1. name of tester, 2. name and address of testing site, 3. the "identifier" durably marked on the container, 4. a description of the testing procedure and 5. a conclusion statement of "pass" or "fail") Y or N

RECORD KEEPING

11. Has the refiller kept the following records (for each product the facility is refilling) for the current operating year and maintained them for **three years**? These three items are not records that are prepared by a refiller. They are documents which are provided to a refiller and must be maintained as “records” by a refiller for three years.
- The residue removal procedure
 - The list of acceptable containers
 - The written contract from the pesticide’s registrant

Y or N

12. Does the refiller keep a record of the following, each time a pesticide is repackaged?
- EPA registration number of the pesticide being repackaged Y or N
 - The date repackaging occurred. Y or N
 - The “Identifier” of the container being filled. Y or N
 - Amount refilled. – (This will comply with annual EPA record requirements)
- Are the above records maintained for **three years** after the date of repackaging?

Y or N

END USER / CUSTOMER ISSUES:

- When do they own a container? All nonrefillable containers will be owned by the purchaser, which will typically be the end user.
- What can they do with the container once it is empty? See the attached label for directions. “Do not reuse or refill this container.” For recycling call 1-800-000-0000. The owner of this container has very limited options. Are producers/growers really going to give this “new”, slightly used container, which has a perceived value of \$150.00 away for free for recycling? If not where might it end up and for what purposes might it be used? This is a concern.
- Will dealers be contacted to assist in the recycling efforts? “You sold it to me, you come get it and see that it gets to the recycler.” Again, this would only occur if a customer wants to give away (for free) something they just purchased for \$150.00 and used on time.
- Will there be any implications for me if I, a customer / end user break a tamper-evident device on a refillable container? If you are the refiller, what is your company policy going to be? How are you going to notify your customers that a new policy is in place?
- DATCP will be working with industry to develop an “envelope stuffer” addressing these general issues. This envelope stuffer will be made available to refillers and dealers through the cooperating associations and will be available soon on the DATCP web site.