



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

December 8, 2025

MEMORANDUM

TO: State Lead and Federal Agencies for Pesticide Regulation

FROM: Jennifer Gaines, Sr. Regulatory Specialist
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Invertebrate & Vertebrate Branch 3
Registration Division, Office of Pesticide Programs

SUBJECT: Emergency Exemptions and State Registrations – 2025 Annual Update

This year's State and Federal partners correspondence will serve as an opportunity for EPA to share some of the updates, regulatory highlights, and reminders associated with the FIFRA Section 18 emergency exemptions and Section 24(c) special local need registrations managed by our state partners.

OCSPPP recently went through a reorganization. The Emergency Response Team (ERT), which was in the Minor Use and Emergency Branch (MUERB), has been moved to the Invertebrate & Vertebrate Branch 3 (IVB3) in the Registration Division (RD); MUERB is no longer a branch. Although we are now in IVB3, we are still the ERT and are continuing our dedicated work on Section 18 emergency exemptions and 24(c) SLN actions.

Thank you for your assistance in continuing to send Section 18 and 24(c) submissions electronically through the two dedicated email boxes; it has been a great help in allowing storage and access of information by team members. As a reminder, the Section 24(c) mailbox is OPP-Sec24c-Mailbox@epa.gov and the Section 18 emergency exemption mailbox is Sec-18-Mailbox@epa.gov. Please continue to send submissions for both to these email boxes. For Section 18 submissions, the Senior Regulatory Specialist will assign a lead reviewer to your case and acknowledge receipt of your submission.

UPDATES:

❖ **Expiration Dates on SLNs**

As a way to reduce the burden of review, the Agency is no longer recommending expiration dates be added to the label for most SLNs. Although expiration dates are not a requirement, states had been encouraged in the past to include them for all SLNs which has resulted in numerous tracking errors and substantial extra work for EPA. EPA acknowledges that expiration dates may be useful for specific SLN situations and supports their use when practical. However, moving forward the inclusion of expiration dates remains voluntary in case a state prefers to use them and EPA prefers expiration dates be used only when practical.

❖ **Acknowledgement Letters and Posting to PPLS**

Beginning in October of 2025, EPA is no longer writing acknowledgement letters for SLN registrations. This is part of the EPA's process improvement efforts to reduce EPA's burden of review and will facilitate EPA's efforts to post SLN labels to the Agency's publicly accessible Pesticide Product and Label System (PPLS). As such, the Agency is continuing its effort to upload SLN labels into the Agency's Pesticide Product and Label System (PPLS). These labels are converted to text-searchable PDF files that the public can view by visiting <https://iaspub.epa.gov/apex/pesticides/f?p=PPLS:1>

SECTION 24c REGULATORY HIGHLIGHTS:

❖ **Third Party SLNs**

Please remember that the company registering a third party SLN needs to get a company number *before* the SLN can be state-registered and submitted to the Agency. You can follow this link for instructions explaining how to request a company number:

<https://www.epa.gov/pesticide-registration/pesticide-registration-manual-how-obtain-company-number-and-register#:~:text=How%20to%20request%20a%20company,correspondence%20to%20the%20of%20address.>

❖ **FIFRA Section 24(a) v 24(c)**

As a reminder, FIFRA Section 24(c) allows states to register “additional uses of federally registered pesticides” to meet special local needs within the state, but it does not provide states with the authority to issue more restrictive registrations for uses which are already registered by EPA. A separate provision under FIFRA – Section 24(a) – is the appropriate authority for the states to rely on in the event that they want to establish a measure that restricts or narrows the uses authorized by an EPA-approved label. If you have questions about whether a situation would be appropriate under 24(c), utilize the option of pre-submission consultation with EPA.

SECTION 18 REGULATORY HIGHLIGHTS:

❖ **Section 18 Emergency Exemption Information and Training Resource**

For helpful details about the FIFRA Section 18 Emergency Exemption program, the information needed to support a request, and EPA's evaluation and decision process, please refer to the [Section 18 training](#)

[tool](#), (updated in 2023). The training tool is a valuable resource to help State Lead Agricultural Agencies and professional extension agents navigate the Section 18 process and can be found here: <https://www.epa.gov/pesticide-registration/fifra-section-18-emergency-exemption-program-information-and-training>.

❖ **Section 18 Packages Checklist**

We aim to review Section 18 packages quickly and in accordance with the requirements listed under 40 CFR part 166. To assist us with this goal, we ask that you submit thorough packages with as much detail as possible for all the elements for the requested exemption. Doing so could eliminate interruptions in the Agency reaching a decision. More detail is better than not enough.

To assist you in preparing complete emergency exemption packages, we have a checklist, which can be found here: <https://www.epa.gov/pesticide-registration/checklist-preparing-applications-emergency-exemptions-under-section-18-fifra>.

Note that some specific, quarantine, or public health submissions require EPA to publish a notice of receipt with an opportunity for public comment, in accordance with 40 CFR 166.24. Please plan accordingly and reach out to the ERT if further clarification is needed.

❖ **Crisis Exemptions**

Crisis exemptions are for rare situations, and may only be issued when an unpredictable emergency condition exists, the time element of the application is critical and there is insufficient time to request a specific, quarantine, or public health exemption (or for the Agency to review such a request), and the Agency has provided verbal confirmation that tolerances or tolerance exemptions may be established in a timely manner for any food uses and that the Agency has no other objections. An example is an unexpected public health emergency due to a natural disaster involving contamination or epidemic disease, for which an unregistered pesticide use is needed. Another example would be an unpredictable pest outbreak that is expected to cause immediate damage, such that there is insufficient time for the Agency to evaluate a specific, quarantine, or public health emergency exemption request. EPA's crisis exemption regulations can be found at 40 CFR part 166, subpart C.

It is imperative that the Federal or State Agency seeking a crisis exemption contact the ERT's Senior Regulatory Specialist, MUERB chief, and if neither can be reached right away, then reach out to another team member as soon as a crisis exemption is being considered. As details of a proposed crisis program take shape, please share a **DRAFT (unsigned)** letter describing the proposed crisis program with the EPA.

The DRAFT letter should include all of the following:

- A discussion of the urgent and non-routine situation including why the registered tools are inadequate to address the emergency or mitigate the pest. Also, an explanation of why timing is insufficient to request another regulatory option such as a specific or quarantine exemption.
- The name of the active ingredient proposed for the crisis use, including the

common name and the Chemical Abstracts Service (CAS) number, and the product name, EPA Registration No., copy of EPA registered label, and use directions for the crisis use.

- The site/area/region in which the pesticide is to be used.
- The use pattern (method, number, and rate of applications).
- The dates that applications will begin and end.
- For food uses, anticipated pesticide residues which may result.
- Earliest anticipated harvest date of treated commodity.

EPA will quickly evaluate the DRAFT crisis program. Throughout the crisis exemption review process, we encourage you to be in touch via phone and e-mail. Typically, EPA will need about 2-3 days to review crisis exemption requests. Under 40 CFR 166.40(c), a crisis exemption may not be issued until the EPA has verbally confirmed that it has no objection to its issuance. Confirmation is frequently relayed via email communication as well.

As a friendly reminder, emergencies previously addressed by a crisis, specific, quarantine, or public health exemption are generally not appropriate for a subsequent crisis exemption. Instead, a specific, quarantine, or public health exemption request to address such emergencies should be submitted as soon as it is determined that an exemption will be needed. A crisis exemption is effective for only 15 days, unless an application for a specific, quarantine, or public health exemption is submitted to EPA during that time. Use requirements beyond that time should be discussed with EPA. Finally, in accordance with the Section 18 regulations, crisis exemptions may not be authorized for a new pesticide active ingredient or for the first food use of a pesticide (see 40 CFR 166.41 for the full list).

❖ ***Streamlined Application Under the Re-certification Program***

We recognize that the re-certification process is an effective tool for streamlining the Section 18 application process. However, please remember that only specific exemptions granted in a previous year and determined eligible for re-certification may be considered as candidates for a streamlined application.

The re-certification regulations (40 CFR 166.20(b)(5)) state that certain specific exemption requests are re-certifiable and may rely on previously submitted data to satisfy the information requirements of 40 CFR 166.20. In those instances, the applicant must certify in the streamlined application that all of the following are true:

- The emergency condition described in the preceding year's application continues to exist;
- Except as expressly identified, all information submitted in the preceding year's application is still accurate;
- Except as expressly identified, the proposed conditions of use are identical to the conditions of use EPA approved for the preceding year;
- Any conditions or limitations on the eligibility for re-certification identified in the preceding year's notice of approval of the emergency exemption have been satisfied;

and

- The applicant is not aware of any alternative chemical or non-chemical practice that may offer a meaningful level of pest control or has provided documentation that each such known practice does not provide adequate control or is not economically or environmentally feasible.

The application should also include the following:

- Dates for the use season.
 - If the use season has already started when a submission is submitted, please revise the dates accordingly in addition to providing the earliest and last harvest dates.
- A letter of support from the registrant.
- A description of the progress toward a Section 3 or 24(c) registration for the use.
- Any use directions that the State will distribute to users. If changes have been made to use directions approved by EPA the prior year, please highlight those changes.
- The registered label for the requested product.
- Final use report for the previous year's Section 18 usage.

❖ ***Interim and Final Use Reports***

Interim and final use reports, as required, must include the information specified in 40 CFR 166.32(b), and should be submitted to both EPA Headquarters and the appropriate EPA Regional office. Final reports must be submitted within 6 months following the expiration of a specific, quarantine, or public health exemption (unless specified otherwise by the Agency), or within 3 months following the last date of treatment under a standalone crisis exemption. Interim reports must be submitted annually for quarantine exemptions issued for longer than one year. If an application for renewal of a specific, quarantine, or public health exemption is submitted before the exemption expires or before submission of the final report, an interim report must be submitted with the application. As a reminder, the reports must include the following:

- Indicate whether a crisis exemption was declared and whether the report covers both use under the crisis exemption and under a subsequent specific, quarantine, or public health exemption;
- Total acreage, amount of commodity or other unit treated, and the total quantity of the pesticide used;
- A discussion of the effectiveness of the pesticide in dealing with the emergency condition;
- A description of any unexpected adverse effects which resulted from use of the pesticide under the exemption;
- The results of any monitoring required and/or carried out under the exemption;
- A discussion of any enforcement actions taken in connection with the exemption;
- Method(s) of disposition of a food crop, if destruction was required by the exemption; and
- Any other information, if requested by EPA.

Please note that delays in submitting the interim and final use reports may delay issuance

of repeat emergency exemptions.

GENERAL REMINDERS:

❖ ***Pre-submission Consultation***

For novel and challenging cases, we strongly encourage you to consult with the Agency prior to submitting your Section 18 emergency exemption request or registering a special local need product under the 24(c) program. A pre-submission consultation can aid in exploring the best path forward to address your need. To arrange a consultation or if you have questions, contact the emergency response senior regulatory specialist/team leader or another team member.

Emergency exemption pre-submission consultations and/or full applications are appreciated well in advance of the anticipated use season. Although our target turnaround time for emergency exemptions is 45 days, submitting a request that allows EPA less than 45 days to evaluate and generate a response may delay the use from being available to address the need.

As you are aware, the EPA has 90 days to review a SLN registration from the date of the State's issuance and the EPA's timely receipt of the registration notification. **Therefore, it is key to take advantage of pre-submission consultations on controversial chemicals or SLNs.** This affords all parties involved an opportunity to have a reasonable discussion prior to making a final determination.

❖ ***Other SLN Reminders and Tips***

- When submitting a Section 24(c) package to the Section 24(c) mailbox (OPP-Sec24c-Mailbox@epa.gov), in the subject line please include the SLN No., the associated active ingredient, and indicate in parentheses whether the action is new, an amendment, or a cancellation. For example: XX220001 S-Metolachlor (New) or XX250001 Bifenazate (Cancellation). Please do not submit other correspondence or inquiries to this mailbox. Instead, forward all questions/inquiries to the Senior Regulatory Specialist or other ERT reviewers.
- All SLNs should be sent to the Section 24c inbox by the SLAs, not registrants. If SLNs are submitted to the Section 24c inbox, please do not also send additional hard copies by mail; these are unnecessary duplicates. The documents submitted to the Section 24c inbox are sufficient.
- **An expired SLN cannot be renewed; instead, you must submit a new SLN application with a new SLN number and work to cancel the expired SLN.**
- If the associated pesticide product is classified as a Restricted Use Pesticide (RUP), the RUP box is to be located at the top of the label. The subsequent FIFRA 24(c) language and all other label language, including an MOA box, appear below the RUP box.
- If a chemical with known risks is being considered for an SLN (such as those identified during registration review), please reach out to us to discuss before submitting.
- List the date the state registered the SLN (or approved an amendment) in the submission package. Notifications of an SLN registration must be submitted to EPA

within 10 working days of the effective date of the state registration. If the SLN registration is received after 10 working days of the effective date, then the EPA's 90-day clock starts upon receipt of the SLN package, not the effective date of state registration.

- Include the EPA form 8570-25 (Notification of state registration for an SLN) with new SLN submissions. We also appreciate inclusion of the form with amendments so we have a detailed record of the SLN, including revisions that may have been made since the initial registration date of the SLN, but it's not required.
- A canceled SLN cannot be renewed; instead, you must submit a new SLN application with a new SLN number. Please review the regulations concerning cancelled SLNs found in [40 CFR Part 162](#).
- If the registrant is voluntarily cancelling an SLN and wants to waive the comment period, their cover letter must indicate that they are waiving the 180-day comment period. A general statement that says they are waiving all rights to any comment period is incorrect and will not be processed.
 - The state letter that usually accompanies the registrant's letter is not required to include that the 180-day comment period is being waived, but you are welcome to do so.
- Keep in mind how many SLNs are already registered for a given use. Our general position has been to hold 15 as a limit for "local". If the same SLN is issued in 15 states, generally, further SLN registrations will be disapproved and the Agency will contact the registrant to discuss the situation. Please see the 24(c) guidance for more information on this: <https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations>.

❖ **HQ/Regional/State Communication and Coordination**

As a reminder, states should copy their respective regional contact on all Section 18 applications and 24(c) notifications to EPA HQ. In return, HQ will continue to copy regional contacts on decision transmittals. Additionally, the ERT tries to maintain a current list of Regional/Tribal, Section 18, and Section 24c contacts; we appreciate being notified when there are changes so we may update our list accordingly.

MANAGEMENT AND STAFFING UPDATES:

A few staffing changes have occurred since last year's letter went out - Andrea Conrath retired earlier in 2025, Maya Wheeler was placed in a different branch through the reorganization, and while Anna Katrina-Briley was moved to IVB3 through the reorganization, her work will be mostly focused on Section 3 and minor use items.

HOW TO REACH US:

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