



Representing Household & Institutional Products

Aerosol - Air Care - Cleaners - Polishes
Automotive Care - Antimicrobial - Pest Management

May 10, 2013

Trade Policy Staff Committee
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508

Re: Docket # USTR-2013-0019
Comments on the U.S.-EU Proposed Transatlantic Trade and
Investment Partnership

The Consumer Specialty Products Association (CSPA) is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$80 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. CSPA member companies employ hundreds of thousands of people globally. Products CSPA represents include disinfectants that kill germs in homes, hospitals and restaurants; air fresheners, room deodorizers, and candles that eliminate odors; pest management products for home, lawn and garden, and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day. Through its product stewardship program, Product Care®, and scientific and business-to-business endeavors, CSPA provides its members a platform to effectively address issues regarding the health, safety and sustainability of their products.

The contemplated U.S. Transatlantic Trade and Investment Partnership (TTIP) agreement with the E.U. provides opportunities to enhance greater regulatory cooperation in the consumer pesticides/biocides market. Greater compatibility on pesticides/biocides regulation would benefit

the economies of both the EU and the United States. One such area is in data submission requirements for consumer pesticides/biocides products.

One of the means by which the U.S. EPA provides guidance to applicants and registrants is by issuing a Pesticide Registration Notice (PRN). In November, 2011, U.S. EPA issued PRN 2011-3¹, which replaces its previous guidance for the overall data submission format under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The new PRN 2011-3 permits for the first time registrants planning multi-national electronic submissions on a CD or DVD to use an OECD dossier format for U.S. EPA pesticide submissions. The OECD dossier format², however, only is available for agricultural pesticides and microbial pesticides. There is no dossier format for other pesticides, *i.e.*, non-agricultural or non-crop pesticides. This lack of a dossier for non-agricultural pesticides (both active substances and formulated products) creates an opportunity to promote greater transatlantic regulatory compatibility. While a Trans-Atlantic dossier would be beneficial an OECD dossier offers a greater impact for much the same effort, we therefore suggest that the development of a new OECD dossier template for non-agricultural pesticides be funded. Use of the proposed new template would be beneficial to companies seeking registrations in multiple OECD countries; if multiple registrations in OECD countries are not being sought, the applicant could (and should be able to) use the local national template.

If the OECD were to develop the proposed consumer pesticides/non-agricultural pesticides dossier template, it would create numerous efficiencies for the registering countries and the registrant, since both would share the benefits of using a single dossier format that would be accepted by the 34 OECD countries. The dossier would likely also be acceptable to the many non-OECD member adherents to the OECD Council Decision on Mutual Acceptance of data. A common dossier reduces the burden of preparing applications for multiple country launches for industry and facilitates work sharing and review sharing between government authorities.

CSPA and its membership urge the TTIP negotiation team to place this regulatory suggestion squarely on the table. The U.S.-European Commission (EC) shared goals of reducing excessive regulatory costs, unjustified regulatory difference, and unnecessary red tape by promoting

¹ Available at http://www.epa.gov/pesticides/PR_Notices/pr2011-3.pdf.

² Available at <http://www.oecd.org/env/chemicalsafetyandbiosafety/agriculturalpesticidesandbiocides/oecdguidedocumentsforpesticideregistration.htm#dossier>.

greater transatlantic regulatory compatibility would be advanced by this proposal. In addition, the benefits would not be limited to transatlantic submissions, but would be realized by all countries that recognize and authorize the use of the proposed OECD non-agricultural template.

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