

4/2/75

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Environmental Protection Agency,
Complainant

v.

Stauffer Chemical Company,
Respondent

I.F. & R. Docket No. VI-23C

Correction of Initial Decision

By Motion filed April 2, 1975, Complainant has called attention to an error in the quotation of section 3(a)(1) of the 1947 version of the Federal Insecticide, Fungicide, and Rodenticide Act. Accordingly, on page 9 the quotation in the Initial Decision dated March 18, 1975, is corrected to read as follows:

Section 3(a) It shall be unlawful for any person to . . . ship . . . any of the following:

(1) Any economic poison which is not registered pursuant to the provisions of Section 4 of this Act, or any economic poison if any of the claims made for it or any of the directions for its use differ in substance from the representations made in connection with its registration, or if the composition of an economic poison differs [underscoring supplied to significant language]

With respect however, to the suggested change in the text of the decision following the quotation, this request is denied as the typographical omission referred to did not change the Presiding Officer's interpretation stated in the context of the decision.

In view of the correction made, and in the event the parties view the Initial Decision differently because of that change, the date for

the filing of exceptions pursuant to section 168.51 of the rules is extended until April 22, 1975.

In all other respects the Initial Decision as corrected is reaffirmed.

Frederick W. Denniston
Frederick W. Denniston
Administrative Law Judge

April 8, 1975