EXHIBIT 3

Pesticide State Lead Agencies, State Fish Agencies, and Land Grant University
Cooperative Extension Coordinators in Washington, Oregon, and California

Dear Colleagues:

On January 30, 2001, the Washington Toxics Coalition (WTC), et al., filed suit against the U.S. Environmental Protection Agency (EPA) in the Western District of Washington, alleging that EPA had failed to consult with the National Marine Fisheries Service on whether certain pesticides posed jeopardy to 26 federally listed endangered and threatened Pacific salmon and steelhead. Under the Endangered Species Act, EPA must ensure that its registration of a pesticide is not likely to jeopardize the continued existence of species listed as endangered and threatened or adversely modify habitat critical to those species' survival.

On January 22, 2004, the District Court issued an order granting interim injunctive relief to the WTC, et al., pending EPA's compliance with a schedule for review of those pesticides ordered earlier by the Court. The January 2004 order imposes no-use buffer zones around **salmon-supporting waters** (as defined by the Court) in Washington, Oregon, and California. Further, for pesticides containing any of seven named active ingredients and used in **urban areas** (also defined by the Court), the Court ordered EPA to develop a point-of-sale notification that contains specified text and a prominent graphic. The defendant-intervenors in this case (groups representing pesticide manufacturers, distributors, and pesticide users) have been ordered to distribute the point-of-sale notification to retail outlets in urban areas of Washington, Oregon and California. EPA, in turn, was ordered to request that state fish agencies, pesticide state lead agencies, and land grant university extension coordinators in urban areas provide the same notification to certified applicators in the state who are certified in any category that would permit the applicator to apply pesticides in parks, golf courses, and housing areas in the Urban Areas. The Court further ordered that EPA provide the point-of-sale notification to each of you prior to April 5, 2004, and request your assistance in its distribution.

On the reverse of this letter is the point-of-sale notification that I am requesting you provide to certified applicators as indicated above. The pesticide active ingredients to which the point of sale notification is to be directed, when used in products that may be applied in Urban Areas, are: 2,4-D, carbaryl, diazinon, diuron, malathion, triclopyr BEE, and trifluralin.

This shipment includes 500 copies of this letter and the point-of-sale notification. If you require additional copies, please contact me at williams.arty@epa.gov. The urban areas affected by this point-of-sale notification may be found in an attachment to the January 22, 2004, Court Order that is displayed on our Web site at www.epa.gov/espp. Also on that Web site, for your information, is additional information regarding all of the court's orders in this case and a *Federal Register* Notice formally requesting that you provide this notification to certified applicators as indicated above. Please let me know if you have any questions about this request or if you require additional copies of the notification on the reverse of this letter.

Sincerely,

Arthur-Jean Williams 3/19/04

Arthur-Jean B. Williams, Chief
Environmental Field Branch
Field and External Affairs Division
Office of Pesticide Programs