

FINDING OF NO SIGNIFICANT IMPACT FOR

Product Marketing Orders for

Two Products Named Top Standard

Manufactured by Republic Tobacco, LP

The Center for Tobacco Products of the Food and Drug Administration (FDA) has carefully considered the potential environmental impact of these actions and has concluded that these actions will not have a significant effect on the quality of the human environment. Therefore, an environmental impact statement is not required.

Republic Tobacco, LP wishes to introduce two new roll-your-own (RYO) tobacco products into interstate commerce for commercial distribution in the United States and submitted to FDA substantial equivalence reports to obtain marketing orders under the provisions of section 910 and 905(j) of the FD&C Act.

The Agency prepared the programmatic environmental assessment (PEA), dated March 30, 2018, under the Council on Environmental Quality's regulations (40 CFR 1500-1508) implementing the National Environmental Policy Act and in accordance with 21 CFR 25.41 to support the finding of no significant impact. The evidence supporting this finding is contained in the attached PEA, which is available to the public upon request.

The PEA provides an environmental effect assessment due to manufacturing, use, and disposal of the new products. The PEA also provides analyses on energy and resource use as a result of marketing the new products.

No new types of emissions due to manufacturing the new products are anticipated and no new pollution control practices are anticipated to be required.

To evaluate the potential environmental impacts of the proposed actions due to the use of the new products, the Agency utilized historical data of the use of RYO tobacco products from 2008 to 2016 from the Alcohol and Tobacco Tax and Trade Bureau's Statistical Release reports; the data indicate that RYO tobacco use is declining. Also, the Agency does not foresee new substances or increased air emissions to be released into the environment as a result of use of the new products.

The Agency believes that the disposal of the new products will be the same as the disposal conditions of other RYO tobacco products that are currently marketed; the waste generated from using the new products would be disposed of in the same manner as the waste generated from other RYO tobacco products used in the United States. Specifically, the waste generated from the new products may undergo two scenarios for disposal into the environment; as litter or as municipal solid waste (MSW). The projected total waste due to disposal of the new products is a miniscule fraction of the MSW

generated in the United States based on information in the U.S. Environmental Protection Agency's Report "*Advancing Sustainable Materials Management: Facts and Figures 2014*". Therefore, construction of new MSW facilities is not anticipated as a result of the proposed actions.

No significant environmental impacts are expected from marketing the new products because no new control practices of air emission, water discharge, or solid waste disposal are foreseen; no release of new substances, no expansion of the manufacturing facility, no additional use of resources and energy, and no impact on endangered or threatened species or critical habitat due to marketing the new products are anticipated.

Approved by Digitally signed by Kimberly A. Benson -S
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