

## 40 C.F.R. § 179.117

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### Designation and powers of judicial officer.

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- (a) One or more judicial officers may be designated by the Administrator. A judicial officer shall be an attorney who is a permanent or temporary employee of the Agency or of another Federal agency. A judicial officer may perform other duties. A judicial officer who performs any duty under this part may not be employed by OCSPP, by the Pesticides and Toxic Substances Division of the Office of General Counsel, or by any other person who is a representative of OCSPP in the hearing. A person may not be designated as a judicial officer in a hearing if he or she performed any prosecutorial or investigative functions in connection with that hearing or any other factually related hearing.

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