

FIFRA Minimum Risk Pesticides – 25(b) Product Label Guidance

Per FIFRA Section 25(b), EPA has exempted certain products from federal regulation. However, these products are subject to registration by individual states. States are not required to permit the sale of an exempted product simply because it is exempted under federal pesticide law. Each state may have different label requirements, which makes it difficult for companies to comply with all states. For this reason, the Association of American Pesticide Control Officials (AAPCO) created a 25(b) Workgroup. The following list is label guidance put together by the AAPCO 25(b) Workgroup to help companies comply with state requirements. This list is for guidance purposes and does not guarantee that your product will be accepted in all states.

25(b) Pesticide Product Labeling Expectations:

1. Products must comply with the 6 conditions outlined by EPA.
 - a. Condition 1 – Active Ingredients
 - i. The product’s active ingredients must only be those listed in 40 CFR 152.25(f)(1).
 - b. Condition 2 – Inert Ingredients
 - i. The product’s inert ingredients must only be those listed in 40 CFR 152.25(f)(2) or 40 CFR 180.950(a), (b), (c), and (e).
 - c. Condition 3 – Ingredients Listed on Label
 - i. All ingredients in a 25(b) product must be listed by label display name on the label.
 - d. Condition 4 – Health-Related Claims
 - i. The label cannot state or imply that the product can or will control or reduce organisms that pose a threat to human health, or insects or rodents carrying specific diseases.
 - e. Condition 5 – Company Name & Contact Information
 - i. The name of the producer or the company for whom the product was produced and the company’s contact information, which includes a street address or PO Box, must be displayed prominently on the product label.
 - f. Condition 6 – Label Statements
 - i. The label cannot include any false or misleading statements, as described in 40 CFR 156.10(a)(5)(i) through (viii).
2. Signal Word and Keep Out of Reach of Children statement are to be located prominently on the front panel of the label.
 - a. The Signal Word on the label should equal what is on the Safety Data Sheet (SDS) as the safety requirements for commercial use products.
3. Both Active and Inert Ingredients are to be listed in column form and total 100%.
4. Inert ingredients are to be listed on the label in order of highest percentage first.
5. NO images of children are acceptable on labels unless the product is intended for use on children or is a swimming pool product.
6. All claims on the manufacturer’s website must comply with the 6 conditions outlined by EPA.
7. Labels are to include specific use site locations.
8. Non-toxic claims are not acceptable.

9. The terms “Organic” or “Certified Organic” in reference to the 25(b) product are unacceptable.
 - a. The use of the USDA Organic logo is not acceptable on any labeling.
 - b. Individual ingredients in a 25(b) product may be listed as “grown organically”. Proper paperwork may be required to substantiate this claim.
 - c. The use of the term “organic” is acceptable when used in connection with one of the following statements: “For Use in Organic Production”, “For Use in Organic Gardening”, “For Use on Organic Turf” and “OMRI Listed”.
10. “Natural” claims are not allowed if the product includes synthetic chemicals and those derived synthetically.
 - a. Ingredients such as, but not limited to, sodium lauryl sulfate, isopropyl myristate, isopropyl alcohol, malic acid, potassium sorbate, citric acid, sodium benzoate, benzoic acid and xanthan gum are synthetic chemicals and are therefore not considered natural.
11. Claims such as “Safe” or “Safe around children and pets” are acceptable only when accompanied by the qualifier “...when used as directed”.
12. Data may be required to substantiate any claim that appears on the label or labeling.
13. Labeling of products should include an advisory statement when data does not meet efficacy data expectations.

Examples:

 - The effectiveness of this product may not meet the level of protection required for EPA-registered pesticides.
 - This product has not been shown to protect people from biting mosquitoes for at least 2 hours.
 - Reduces or May reduce (name of pest).
 - Suppresses or Aids in the suppression of (name of pest).

This list is to serve as guidance only. This document is a living document that may be updated at any time. For specific registration, requirements please contact the individual state regulatory agency responsible for pesticide registration.