

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

Per FIFRA Section 25(b), U.S. EPA has exempted certain products from federal regulation. However, these products are subject to registration by most 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.

All claims on the manufacturer's website and marketing materials must comply with U.S. EPA's six conditions and AAPCO 25b workgroup label guidance

Advertising and collateral literature or verbal claims for the product must not substantially differ from any claims made on the label or labeling. Labeling means all labels and other written, printed, or graphic matter referencing the pesticide or device or upon any of its containers or wrappers, or accompanying the pesticide or device at any time. In other words, if a claim is not on the label or substantially differs from what appears on the label (or any part of its distribution or sale which for example appears on a brochure), it cannot be made in advertising.

Products must comply with the U.S. EPA's six conditions to qualify for exemption as a Section 25(b) Minimum Risk Pesticide and state labeling requirements (refer to sample labels in Appendices B, C, D):

## FRONT PANEL

### 1. Product Brand Name

1. The product brand name must not be false or misleading

### 2. Product Function

1. Label must include a product function (e.g., insecticide, herbicide, fungicide) that is consistent with product ingredients and label claims

### 3. Ingredient Statement

**U.S. EPA Condition 1: Active ingredients must be only those listed in 40 CFR 152.25(f)(1).** Products intended for use on food/feed crops

can only include eligible active ingredients listed at <https://www.epa.gov/minimum-risk-pesticides/conditions-minimum-risk-pesticides#tab-1> with applicable tolerance exemptions in [40 CFR 180](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-180). For example, acetic acid and corn cob are not permitted as active ingredients

**U.S. EPA Condition 2: Inert ingredients must be only those listed in 40 CFR 152.25(f)(2).** Products intended for use on food/feed crops can only include inert ingredients with applicable tolerance exemptions in [40 CFR 180](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-180). The only inert ingredients that may be used are those that U.S. EPA has classified as:

- Commonly consumed food commodities [40 CFR 180.950(a)]
- Animal feed items [40 CFR 180.950(b)]
- Edible fats and oils [40 CFR 180.950(c)]
- Specific chemical substances listed in <https://www.epa.gov/minimum-risk-pesticides/conditions-minimum-risk-pesticides#tab-2>

**U.S. EPA Condition 3: All ingredients (active and inert) must be listed on the label** using the U.S. EPA label display name

- Active ingredients must be listed on the label with individual percentage(s)
- Inert ingredients must be listed on the label

#### **Additional State Requirements**

1. Active ingredients should be listed in descending order
  2. Inert ingredients should be listed in descending order with a cumulative percentage
  3. The percentage of active and inert ingredients must equal 100%
  4. The statement "Total =100% " must be listed below active and inert ingredients
4. **Keep Out of Reach of Children is to be prominently displayed on the front panel**
  5. **Signal Word, Globally Harmonized System (GHS) Pictograms**
    1. Prominently displayed on the front panel
    2. Signal word on label should be the same signal word on the Safety Data Sheet (SDS)
    3. If the product is intended for commercial/agricultural use, use the applicable label elements found in the SDS
    4. If the product is NOT for commercial/agricultural use AND a SDS is

available, use the applicable label elements found in the SDS

See appendix A for more information on signal words and precautionary statements

## FRONT OR OTHER PANEL

### 6. Precautionary Statements, First Aid, and other Hazard Statements

1. Statements referring to the Worker Protection Standard (WPS) and Agricultural Use Requirements are not allowed because Section 25(b) pesticides are not subject to the requirements of FIFRA. Restrictions and Precautions normally found in the Agricultural Use box (such as Personal Protective Equipment and Restricted Entry Interval) may be listed on the label under **Precautionary Statements**

### 7. Directions for Use and Product Information

1. Directions for Use includes a description of intended uses, use rates, and specific use site locations. A statement such as "Treats xx sq. ft." where xx is based on container size, is acceptable for ready-to-use products. If the label includes chemigation uses, the label must include directions for chemigation
2. Labels must contain clear and specific instructions for use that, if complied with, adequately protect the public and nontarget organisms
3. Some states may have additional data requirements and/or use restrictions. For example, Washington may request aquatic toxicity data to support use on aquatic sites. Maine would not allow for a 25(b) with aquatic uses because it would be a restricted use pesticide. Refer to state for specific restrictions
4. Product claims:

**U.S. EPA Condition 4: The label cannot include claims to control or mitigate organisms that pose a threat to human health, or insects or rodents carrying specific diseases.** For instance, the label may not state: "Controls ticks that carry Lyme disease;" or "Controls mosquitoes that can transmit malaria or encephalitis." In addition, the label cannot include implied health or safety claims that are not allowed by the U.S. EPA, such as *"sterilize," "disinfect," "sanitize," "kill germs," "prevent infection," "stop the spread of germs and disease," "germ-free," "kill influenza," "clinically proven," "certified germ killer," "mold remediation," or "mold control"*

**U.S. EPA Condition 6: The label cannot include any false or misleading statements or claims**, as described in 40 CFR 156.10(a)(5)(i)-(viii). Examples are available at <https://www.epa.gov/minimum-risk-pesticides/conditions-minimum-risk-pesticides#tab-6>:

- Statements concerning the composition of the product, such as “Chemical-free”
- Statements about the effectiveness of the product as a pesticide, such as “Kills all insects”
- Any statement directly or indirectly implying that the pesticide is recommended or endorsed by any agency of the federal government, such as “Recommended by EPA as safe and exempt”
- Use of certain statements that may imply review or acceptance of the minimum risk product by the U.S. EPA, when such review has not occurred. Examples: “It is a violation of federal law to use this product in a manner inconsistent with its labeling,” or “EPA registration number”

#### **Additional State Requirements**

1. If the product contains ingredients that are not permitted for use on food/feed crops, the label must prohibit the use on food/feed crops
2. Non-toxic claims are not acceptable
3. All claims on the manufacturer’s website and marketing must comply with U.S. EPA’s six conditions and AAPCO 25b workgroup label guidance
4. No images of children are acceptable unless the product is intended for use on children or is a swimming pool/spa product
5. Safety claims are acceptable when accompanied by the qualifier, “When used as directed” and are not false or misleading. Human toxicity data may be required. Examples of safety claims include but not limited to, “safe for the environment,” “safe around children and pets,” or the term “safe” or other similar term used by itself
6. Some states may not accept the terms “Organic” or “Certified Organic” in reference to the product. NOTE:

Washington allows WSDA's Organic Certificate logo after the product has been certified for compliance with the National Organic Standards.

- The use of the USDA's Organic logo is not acceptable on any labeling
- The use of the U.S. EPA's 3-leaf organic logo is not acceptable on 25(b) products, regardless of the organic status of the product. The use of the 3-leaf logo implies that EPA has reviewed and approved the organic status of the product per National Organic Program rules, which is a false or misleading claim when used on a 25(b) label. For more information, see PRN 2003-1 and Clarification of PR Notice 2003-1 at <https://www.epa.gov/pesticide-registration/prn-2003-1-labeling-pesticide-products-under-national-organic-program>
- Individual ingredients may be listed as "grown organically" with supporting documentation
- The use of the term "organic" is acceptable when used with one of the following statements "For use in organic production," "For use in organic gardening," "For use on organic turf," or "OMRI listed"



7. Natural claims are accepted if the product does not contain synthetic chemicals or those derived synthetically. 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 therefore, are not considered natural

## 8. FIFRA Exempt Statement

Preferred Statements

*"This product has not been registered by the United States Environmental Protection Agency. [The name of the company] represents that this product qualifies for exemption from registration under FIFRA."*

*"This product qualifies for exemption from EPA registration under Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)"*

## 9. Storage and Disposal

## 10. Net Contents

## 11. Name and Address of Registrant or Manufacturer

**U.S. EPA Condition 5: The name and address of the producer or the company for whom the product was produced must be displayed prominently on the product label**

- If the company whose name appears on the label is not the producer, the company name must be qualified by appropriate wording to show that the name is not that of the producer. Examples include: “Packed for [insert name],” “Distributed by [insert name],” “Sold by [insert name]”
- The company’s contact information must appear on the product label and provide the street address, including the city, state, and ZIP code, and telephone number

### **Additional State Requirement**

1. Provide an email address

## 12. State Registration Number (if applicable)

### Additional Information

**25(b) products intended for use on Cannabis** (applicable to states with legal cannabis) States will accept labels with directions for use on Cannabis (marijuana and industrial hemp). States consider cannabis to be food crops; therefore, all ingredients must be allowed for use on food/feed crops

**WPS Statements:** Statements referring to the Worker Protection Standard (WPS) and Agricultural Use Requirements are not allowed because Section 25(b) pesticides are not subject to the requirements of FIFRA. Restrictions and Precautions normally found in the Agricultural Use box (such as Personal Protective Equipment and Restricted Entry Interval) may be listed on the label under **Precautionary Statements**.

**Data requirements:** Efficacy data may be required to substantiate any claim that appears on the label or labeling. 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).

**All product claims**, such as a claim that the product repels mosquitoes and ticks or eliminates bedbug infestation, should be substantiated in accordance with the [Federal Trade Commission's guidelines](#) for substantiating advertising.

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.

# Appendix A: Signal Word, PPE, Precautionary Statements

If the product is intended for commercial/agricultural use, use the applicable label elements found in the Safety Data Sheet (SDS).

If the product is NOT for commercial/agricultural use AND a SDS is available, use the applicable label elements found in the SDS.

If the product is NOT for commercial/agricultural use AND a SDS is NOT available AND toxicity data is available, signal word and precautionary statements will be based on the six acute toxicity studies performed with the product formulation.

If the product is NOT for commercial/agricultural use AND a SDS is NOT available AND toxicity data is NOT available, use the table below (unless directed otherwise by states):

Signal Word, PPE and Precautionary Statement	Product Formulation (Composition)
<p><b>CAUTION</b> Eye protection and gloves</p>	<ul style="list-style-type: none"> <li>Product contains <b>8.5%</b> or more (not cumulative) of cedarwood oil, cinnamon oil, clove oil, eugenol, garlic oil, lauryl sulfate, lemongrass oil, mint oil, peppermint oil, 2-phenethyl propionate, potassium sorbate, rosemary oil, sodium lauryl sulfate, thyme oil, or white pepper</li> </ul>
<p><b>WARNING</b> Eye protection and gloves</p>	<ul style="list-style-type: none"> <li>Product contains greater than 5% cumulative total of all acids (acetic, citric and/or malic)</li> </ul>
<p><b>CAUTION</b> Dermal sensitization precautionary statements, prohibition against application to the hands of children, and use directions requiring adult supervision during application to children <i>For example: “Do not apply this product to children under 3 years old. Do not allow children to apply this product. When using on children, apply to your own hands and then put it on the child. Do not apply near eyes and</i></p>	<ul style="list-style-type: none"> <li>Products containing cedarwood oil, citronella, and/or citronella oil of the Java type (<i>Cymbopogon winterianus</i>, CASNo. 8000- 29-1), cloves, clove oil, eugenol, geraniol, geranium oil, peppermint, peppermint oil, rosemary, rosemary oil, sodium lauryl sulfate, thyme or thyme oil intended for topical application to human skin*</li> </ul>

<p><i>mouth. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals"</i></p>	
<p>Not for topical application to human skin unless data is submitted and risk is acceptable</p>	<ul style="list-style-type: none"> <li>• Product contains greater than 1% citronella and/or citronella oil of the Ceylon type (<i>Cymbopogon nardu</i>, CAS No. 107-75-5)</li> </ul>

\*For application to pets a dermal sensitization statement is suggested when applicable.

# INSECT REPELLENT <sup>1</sup>

*Repels mosquitoes* <sup>2</sup>

<sup>3</sup> Active Ingredients:

Citronella Oil**	6.5%
Lemongrass Oil	0.50%
Other Ingredients:	
Soapbark, Glycerin	93%
Total	100%

\*\*Java type citronella.



NET WEIGHT: 8.5 fl oz <sup>10</sup>

<sup>4</sup> KEEP OUT OF REACH OF CHILDREN

<sup>5</sup> CAUTION

<sup>6</sup> Precautionary Statements

For external use only. May cause eye irritation. Keep away from eyes and mucous membranes. Adult supervision required when applying to children. Do not apply to children's hands. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

**First Aid**

IF IN EYES: Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

<sup>7</sup> Directions for Use:

Dispense into hand and apply evenly over exposed skin. Reapply every hour as needed. Avoid contact with clothing as product can stain fabrics. Do not apply this product to children under 3 years old. Do not allow children to apply this product. Do not apply near eyes and mouth.

<sup>9</sup> **Storage and Disposal**

Keep in a cool, dark place. **DISPOSAL:** When empty, rinse and recycle container.

<sup>8</sup> ACME Inc. represents that this product is exempt from registration with the U.S. Environmental Protection Agency under FIFRA section 25(b) regulations.

<sup>11</sup> Manufactured by:  
ACME, Inc.  
123 ACME St.  
City, ST 90210  
Call toll free (800)123-4567

<sup>12</sup> STATE Reg. No. 999999-190001

# ABC

# 1 MINIMUM RISK GARDEN INSECT DEMISE

## 2 Insecticide

### 3

#### Active Ingredients

Thyme oil.....	13%
Rosemary oil.....	10%
Sesame oil.....	10%
Clove oil.....	2%

#### Inert Ingredients:

Water, soap bark, oleic acid, steric acid....65%

### 10

NET CONTENTS: 1 gallon

## 4 KEEP OUT OF REACH OF CHILDREN

## 5 WARNING

#### Precautionary Statements

Causes eye and skin irritations. Avoid contact with skin, eyes, or clothing. Wear safety glasses or goggles and chemical-resistant gloves when mixing or handling product. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using the toilet. Remove and wash contaminated clothing before reuse.

### 6

#### First Aid

IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes. Call a poison control center or doctor for treatment advice. IF ON SKIN: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.



### 7

#### General Information:

ABC Minimum Risk Garden Insect Demise is a contact insecticide that may kill ants, aphids, beetles, caterpillars, mealy bugs, and whiteflies. This product may be applied to ornamental plants and flowers, as well as edible fruits and vegetables up to the day of harvest.

#### Directions for Use:

Use 4 to 16 oz. of this product per gallon of water. Apply with sprayer to wet upper and lower leaf surfaces of plants. Avoid excessive runoff. Reapplication may be necessary after 2 to 3 days if infestation reoccurs. Some plants may be sensitive to this product. If not sure, test spray a few leaves a day before treating the entire area. Do not use on plants if leaf burn or spotting is observed.

### 9

#### Storage and Disposal

Do not contaminate water, food or feed by storage or disposal. Store in original container in a cool, dry area away from children and pets.

CONTAINER DISPOSAL: Do not reuse empty container. If empty: Offer for recycling if available or discard in a sanitary landfill. If partly filled: Call your local solid waste agency for disposal instructions.

Never place unused product down any indoor or outdoor drain.

#### For Use On:

- Ornamental plants
- Flowers
- Fruits
- Vegetables
- Food (outdoor or enclosed)
- Herbs (outdoor or enclosed)

## KILLS:

- Ants
- Aphids
- Beetles
- Caterpillars
- Mealybugs
- Whiteflies

## ON CONTACT!

# Can be used up to day of harvest!

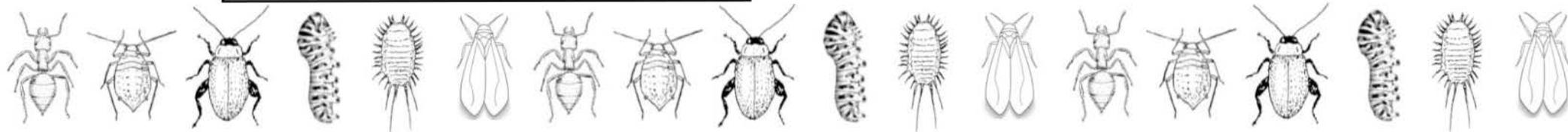
### 8

ABC Chemical Company represents that this is a minimum risk pesticide which qualifies for exemption from EPA registration under FIFRA Section 25 (b). This product has not been registered with United States Environmental Protection Agency.

12 STATE REG NO 999999-190001

Manufactured by:  
ABC Chemical Company  
10000 Main St.  
City, ST Zip  
888-555-5555

### 11



**1** **XYZ**  
**RODENT REPELLENT**  
*Ready to Use*

*Safe for use  
 around kids  
 and pets!\**

*\*When used as directed*

**2** **Indoor & Outdoor Replent**

**Active Ingredients:**

Sodium Lauryl Sulfate.....	1.500%
Peppermint Oil.....	0.500%
Cinnamon Oil.....	0.250%
Garlic Oil.....	0.002%
<b>Other Ingredients:</b>	
Water, Sodium Benzoate, Xanthan gum.....	97.748%
Total.....	100.000%

**10** **NET CONTENTS:** 1 quart (32 FL OZ)  
 Covers approximately 650 sq. ft.

**4** **KEEP OUT OF REACH OF CHILDREN**

**5** **CAUTION**

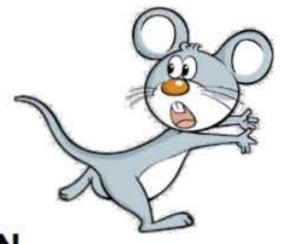
**6** **Precautionary Statments**

Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove and wash contaminated clothing before reuse.

**First Aid**

**IF IN EYES:** Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes. Call a poison control center or doctor for treatment advice. **IF ON SKIN:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

**Keep  
 Mice and Rats  
 OUT!**



**7**

**General Information:**

XYZ Rodent Repellent helps to keep rodents outside. Spray potential entry points around your home such as around doors, windows, pipes, cracks and crevices, and vents. Spray in areas you want to prevent rodent activity.

**Directions for Use:**

Shake container well before using. Spray potential entry points around your home. Repeat application as needed. More frequent application may be required after periods of heavy rainfall and if more damage or rodent activity is noticed.

**9**

**Storage and Disposal**

Store in original container in a cool, dry area away from children and pets. Keep container tightly closed. **CONTAINER DISPOSAL:** Do not reuse empty container. If empty: Offer for recycling if available or discard in a sanitary landfill. If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

**8**

This product has not been registered by the United States Environmental Protection Agency. XYZ Product Company represents that this product qualifies for exemption from registration under the Federal Insecticide, Fungicide, and Rodenticide Act.

STATE Reg. No. 999999-190001

Manufactured by:  
 XYZ Product Company  
 10000 Main St.  
 City, ST 90210  
 Call Toll Free (800)867-5309

**12**

**11**