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REGISTRATION OF SECTION 25(B) MINIMUM RISK PESTICIDES

This guidance for registrants of Section 25(b) products clarifies Washington registration and labeling requirements. Failure to submit a complete application will delay the registration process. Here are some common problems noted during review of Section 25(b) product registrations, and suggestions to avoid them.

1. **Incomplete registration package.** Submit an application for registration of pesticides ([AGR 630-4216](#)), 1 copy of the product label and the Confidential Statement of Formula ([AGR 630-4139](#)) and the appropriate fee. Pesticide registration forms are available on the WSDA web site at <http://agr.wa.gov>.
2. **Inadequate confidential statement of formula (CSF).** Ingredients need to be listed by chemical name and the total must equal 100%. The CSF must be submitted on WSDA Section 25(b) Minimum Risk Pesticide CSF form ([AGR 630-4139](#)).
3. **Product contains ingredients not permitted.**
 - “Active” ingredients **must** be listed in 40 Code of Federal Regulations (CFR) 152.25(g) as exempt from the requirement for federal registration. The chemical name as listed in 40 CFR 180 is required for all ingredients if the Section 25(b) is labeled for use on food or feed crops. Acetic acid and corn cob are not permitted as active ingredients. 40 CFR 180 is available at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl>.
 - “Inert” or “Other” ingredients must be listed on EPA Inerts List 4A and/or 40 CFR 180.950. An explanation of the Inert Ingredients of Minimal Concern is available on the EPA web site at <http://www.epa.gov/oppbppd1/biopesticides/regtools/25b/25b-inerts.htm>
4. **Label has an incorrect ingredient statement.** “Active” ingredients must be listed on the label with individual percentage(s) in descending order. “Inert” or “Other” ingredients must be listed on the label with a cumulative percentage.
5. **Label makes improper claims.** The label must not make any false or misleading claims. In addition, the label must not claim to control or mitigate microorganisms that pose a threat to human health.
 - Statements not allowed include the following: “Recommended by EPA as safe and exempt.” “It is a violation of Federal Law to Use this Product in a Manner Inconsistent with its Labeling.” “EPA Registration No.” “Repels mosquitoes that can transmit malaria.” “Will repel ticks that cause Lyme disease.”
6. **Label has an inaccurate signal word and/or precautionary statements.** A signal word (DANGER, WARNING, CAUTION) is required for certain Section 25(b) products. Precautionary statements, including personal protective equipment (e.g. eye protection and

gloves), are required for Section 25(b) products that can cause eye irritation and skin irritation. Specific label requirements are as follows (unless product toxicity data indicate otherwise):

- Products containing 8.5% or more of cedar 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: CAUTION, eye protection and gloves.
 - Products containing acetic acid, citric acid and/or malic acid (cumulative total of all acids): 1-5% CAUTION; 5-20% WARNING, eye protection and gloves; 20% or more DANGER, eye protection and gloves.
 - Products containing 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: CAUTION, a dermal sensitization precautionary statement, a prohibition against application to the hands of children, and use directions requiring adult supervision during application to children.
 - Products containing citronella and/or citronella oil (less than or equal to 1%) intended for topical application to human skin: CAUTION, a dermal sensitization precautionary statement, a prohibition against application to the hands of children, and use directions requiring adult supervision during application to children. Products containing citronella and/or citronella oil (greater than 1%) intended for topical application to human skin are prohibited.
7. **Product label that includes aquatic use:** Aquatic toxicity studies are required for fish and aquatic invertebrates. If there is no aquatic toxicity data for the Section 25(b) product, the label must prohibit the aquatic use. A statement such as “Not for Aquatic Use” would be appropriate.

ADDITIONAL REFERENCES

- WSDA label requirements for Section 25(b) Minimum Risk Pesticides [WAC 16-228-1400(5)] link: <http://apps.leg.wa.gov/WAC/default.aspx?cite=16-228-1400>.
- Criteria for FIFRA 25(b) Exemption: www.epa.gov/pesticides/biopesticides/regtools/25b_list.htm.
- EPA Pesticide Registration (PR) Notice 2000-6 (Minimum Risk Pesticides Exempted under FIFRA Section 25(b), Clarification of Issues): www.epa.gov/PR_Notices.
- California Notice 2000-6 (Exemption of Certain Pesticide Products from Registration): www.cdpr.ca.gov/docs/canot/ca00-6.htm.
- EPA’s Biopesticide Active Ingredient Fact Sheets: www.epa.gov/pesticides/biopesticides/ingredients/index.htm.

WSDA CONTACT INFORMATION

Contact the WSDA Pesticide Registration Section at (360) 902-2030 or email pestreg@agr.wa.gov for additional information. Forms are available on the WSDA web site at <http://agr.wa.gov>.

Inquiries regarding the availability of this information in an alternative format should be directed to the WSDA Receptionist at (360) 902-1976, or Telecommunications Device for the Deaf (360) 902-1996.