Labeling Guidance for FIFRA Minimum Risk Pesticides

All pesticides, including those exempt from EPA registration under the FIFRA 25(b) minimum risk exemption, must be registered with the Michigan Department of Agriculture and Rural Development (MDARD) prior to distribution in the state of Michigan. To ensure consistency and transparency when it comes to registering minimum risk pesticides, MDARD follows the *FIFRA Minimum Risk Pesticides – 25(b) Product Label Guidance* document that was developed by the Association of American Pesticide Control Officials' (AAPCO) 25(b) Workgroup. For more information about AAPCO's 25(b) Workgroup and the 25(b) Product Label Guidance, please visit: https://aapco.org/2015/07/02/fifra-25b-workgroup/

When reviewing applications for pesticide products claiming to meet the FIFRA 25(b) minimum risk exemption, MDARD will review product labels to ensure they are in compliance with the following guidelines that were developed by AAPCO's 25(b) Workgroup. Failure to comply with these guidelines could result in denial of registration and forfeiture of application fees.

1. Products must comply with the 6 conditions as outlined by EPA in 40 CFR.
    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) and 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.

Version: 01/2019

7. Labels must 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.