

Montana Registration of FIFRA Section 25(b) Pesticide Products

Products categorized as Section 25(b) Minimum Risk Pesticides under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) require registration in Montana. Minimum Risk Pesticides were exempted from federal registration by a May 6, 1996, order of the U.S. Environment Protection Agency. The order does allow states to require registration.

The Montana Department of Agriculture requires the following in order to register and market 25(b) pesticide products in Montana:

1. A label for each product registered, preferably in PDF format on a compact disc.
2. Payment of an annual fee of \$233 per product.
3. Listing of the company name and contact information on the printed label. Product labels must not contain any EPA registration or establishment numbers.
4. The active ingredients in the product must be listed in the Code of Federal Regulations, 40 CFR 152.25, and must be exempt from federal registration. Inert or other ingredients must be listed on the most current EPA Inert 4A List contained in Pesticide Registration (PR) Notice 2000-6 or in compliance with 40 CFR 180.950.
5. Under the heading of "Active Ingredients," the product label must contain the name and percentage (by weight) of each active ingredient. Under the heading "Inert Ingredients," the label must list all inert ingredients by name. The combined percentages of active and inert ingredients must equal 100 percent.
6. A statement that the product is EPA exempt must appear on the label. Examples of label wording are as follows:
 - a. "This product is exempt from registration with the federal Environmental Protection Agency under FIFRA Section 25(b) regulations."
 - b. "This product has not been registered by the U.S. Environmental

Protection Agency. (The name of the company) represents that this product qualifies for exemption from registration under FIFRA.” Or

c. An acceptable equivalent statement for review and acceptance by Montana Department of Agriculture.

7. A Confidential Statement of Formula (CSF) may be required if the department determines that additional information is necessary to complete the registration request. If additional information is needed, a CFS form will be sent by regular mail or by email to the registrant for completion.

8. Product labels must not include any false or misleading statements, including those listed on 40 CFR 156.10(a)(5)(i) through (viii).

9. Labels and other product information must not claim to control or mitigate microorganisms that pose a threat to human health, including but not limited to disease-transmitting bacteria or viruses. Claims to control insects or rodents that carry specific diseases, such as Lyme disease, also are prohibited.