

Criteria for FIFRA 25(b) Exemption

Minimum risk pesticides that meet certain criteria are exempt from federal registration under section 25(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The U.S. Environmental Protection Agency (EPA) does not review or register pesticides that satisfy the 25(b) criteria, though registration is required by most states. For information on minimum risk pesticides in your state, please contact [your state's pesticide registration office](#).

To satisfy the conditions required for federal minimum risk status, all five of the following conditions must be met:

- **Condition 1:** The product must contain **only** [active ingredients that are listed in the table](#) below. The active ingredient of a product is the ingredient that kills, destroys, mitigates, or repels pests named on the product label.
- **Condition 2:** The product must contain **only** those inert ingredients that have been classified by EPA as List 4A "Inert Ingredients of Minimal Concern." An explanation of the Inert Ingredients of Minimal Concern and links to List 4A are available on EPA's [Permitted Inerts](#) Web page.
- **Condition 3:** All of the ingredients (both active and inert) must be listed on the label. The active ingredient(s) must be listed by name and percentage by weight. Each inert ingredient must be listed by name.
- **Condition 4:** The label cannot include any false or misleading statements, and claims that minimum risk pesticides protect human or public health are prohibited. For example, since these products are exempt from federal registration, label language implying federal registration, review or endorsement, such as "It is a violation of federal law to use this product in a manner inconsistent with the label," or the use of an EPA registration or establishment number is not allowed.
- **Condition 5:** In general, public health claims are prohibited. Minimum risk pesticide labels may not bear claims to control rodent, insect or microbial pests in a way that links the pests with any specific disease. EPA recommends that anyone considering manufacturing, distributing, or selling minimum risk antimicrobial pesticide products first [contact the Pesticide Program's Antimicrobial Division ombudsman](#), who can assist in ensuring that proposed antimicrobial minimum risk products meet the strict requirements for exemption from registration.

Additionally, EPA requires the establishment of [maximum residue limits, which EPA calls tolerances, or exemptions from the requirement of a tolerance](#) for all pesticides intended for use in a manner that may result in residues in food or feed.

Active Ingredients Exempt Under 25(b) of the Federal Insecticide, Fungicide, & Rodenticide Act

* indicates exempt active ingredients that are also exempt from pesticide residue tolerance requirements

Castor oil (U.S.P. or equivalent)*	Linseed oil
Cedar oil	Malic acid
Cinnamon and cinnamon oil*	Mint and mint oil
Citric acid*	Peppermint and peppermint oil*
Citronella and Citronella oil	2-Phenethyl propionate (2-phenylethyl propionate)
Cloves and clove oil*	Potassium sorbate*
Corn gluten meal*	Putrescent whole egg solids
Corn oil*	Rosemary and rosemary oil*
Cottonseed oil*	Sesame (includes ground sesame plant) and sesame oil*
Dried Blood	Sodium chloride (common salt) *
Eugenol	Sodium lauryl sulfate
Garlic and garlic oil*	Soybean oil
Geraniol*	Thyme and thyme oil*
Geranium oil	White pepper
Lauryl sulfate	Zinc metal strips (consisting solely of zinc metal and impurities)
Lemongrass oil	

Inert Ingredients eligible for FIFRA 25(b) Pesticide Products. This is an abbreviated list. For the full list: http://www.epa.gov/opprd001/inerts/section25b_inerts.pdf. It is called List 4A.

Acetyl tributyl citrate	Mineral oil (U.S.P)
AgarAlmond hull	Sodium chloride
Animal glue	Vanillin
Fish oil	Peanut butter
Beeswax	Wintergreen oil
Bone meal	Vinegar (maximum 8% acetic acid in solution)
Bread crumbs	Nutria meat
Canary seed	
Carbon dioxide	
Carrageenan	
Castor oil	
Cat food	
Citric acid	
Citric acid, monohydrate	
Coffee grounds	
Cottonseed meal	
Douglas fir bark	
Fuller's earth	
Humic acid	

Kaolin

EPA FAQ and discussions re: 25(b) pesticides

I have seen products that say they are "the natural way to control pests," or "safe for kids and pets." Aren't these considered by EPA to be false and misleading claims?

No, not for exempted minimum risk pesticides. Products that meet the criteria for exemption from regulation may make safety claims if true. On the other hand, claims cannot be worded in such a way that implies or states endorsement by EPA or another federal agency or department.

Vinegar is a good example of a minimum risk inert ingredient that can pose a hazard if improperly and illegally used as an active ingredient in an unregulated 25(b) pesticide product. EPA added vinegar (maximum of 8% acetic acid in solution) to List 4A to give manufacturers a safe means of controlling pH in minimum risk pesticide products.

When used as an inert ingredient to buffer pH, the quantity of vinegar in a pesticide product is not expected to pose hazards. However, vinegar with an acetic acid concentration greater than 8% is a potent herbicide and at higher concentrations can cause severe burns.

Because of this potential safety concern, vinegar is not listed as a minimum risk active ingredient and may not be used as an active ingredient in unregistered, minimum risk pesticides. The same is true of any List 4A inert that coincidentally has some sort of pesticidal property: if it is not on the 25(b) active ingredient list, it may not be used as an active ingredient in minimum risk pesticides.

Minimum risk pesticide manufacturers sometimes market pesticides in which List 4A inert ingredients act as active ingredients in the product formulation even though they are listed as inerts on the label. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) gives EPA the authority to take enforcement action if the purpose or intent of a minimum risk pesticide inert ingredient is to act as an active ingredient.

OMRI Information:

Active ingredients must be either:

-Natural (e.g. microbe or plant extract)

-A synthetic material on the National List at 7 CFR 205.601 - Synthetic substances allowed for use in organic crop production. Some examples:

Soaps (insecticidal and herbicidal)

- Narrow range oils
- Hydrogen peroxide
- Elemental sulfur
- Pheromones



Before using synthetic pesticides from the National List, organic growers must proceed through cultural, physical, and mechanical control methods.

