

Florida's Pesticidal Substances Exempt from the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA-Section 25(b))¹

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Effective in 1996, the Environmental Protection Agency (EPA) exempted products containing more than 30 pesticidal active ingredients and 160 inert ingredients from FIFRA regulation. The EPA concluded the exemption of these products would not pose unreasonable risks to public health or the environment.

The federal rule allows individual states, including Florida, whose laws do not allow such exemptions, to continue enforcement of their state provisions. In order to market these types of products in Florida under FIFRA section 25(b), the following conditions must be met:

1. Each product brand name, as well as alternate product brand names, must be registered at an annual fee of \$350.
2. "EPA EXEMPTED PRODUCT" must appear on each Florida application for New or Amended Brand Registration form (DACs13342).
3. Final printed labels must not bear EPA registration numbers.
4. Under the heading of "Active Ingredients," each product must bear a final printed label identifying the name and percentage by weight of each active ingredient. Under the heading of "Inert Ingredients," each inert ingredient must also be listed by name. The inert ingredients must be shown as one total percentage combined. The combined percentages of active and inert ingredients must equal 100%.
5. The product must not include any false or misleading labeling statements, including those listed in 40 CFR 156.10(a)(5)(i) through (viii).
6. The product must not bear claims to either control or mitigate microorganisms that pose a threat to human health, including but not limited to disease transmitting bacteria or viruses, or claims to control insects or rodents carrying specific diseases, including but not limited to ticks that carry Lyme disease.

7. Product(s) that currently bear EPA registration numbers and are located in Florida's trade channels will continue to fall under FIFRA regulation.

Active Ingredients Exempted by EPA from FIFRA Regulation

1. Castor Oil (U.S.P. or equivalent)
2. Cedar Oil
3. Cinnamon* or Cinnamon Oil*
4. Citric Acid*
5. Citronella and Citronella Oil
6. Cloves* and Clove Oil*
7. Corn Gluten Meal*
8. Corn Oil*
9. Cornmint and Cornmint Oil
10. Cottonseed Oil*
11. Dried Blood
12. Eugenol
13. Garlic* and Garlic Oil*
14. Geraniol
15. Geranium Oil
16. Lauryl Sulfate
17. Lemon Grass Oil*
18. Linseed Oil
19. Malic Acid*
20. Peppermint* and Peppermint Oil*
21. 2-Phenethyl Propionate (2-phenylethyl propionate)
22. Potassium Sorbate
23. Putrescent Whole Egg Solids
24. Rosemary* and Rosemary Oil*
25. Sesame* (includes ground sesame plant stalks) and Sesame Oil*
26. Sodium Chloride (common salt)*
27. Sodium Lauryl Sulfate
28. Soybean Oil
29. Spearmint and Spearmint Oil
30. Thyme* and Thyme Oil*

31. White Pepper*
32. Zinc Metal Strips (consisting of zinc metal and impurities)

* These active ingredients are exempt for use on all food commodities from the requirement of a tolerance on all raw agricultural commodities at 40 CFR 180.1164(d).

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