

ATCP 29 POLICY RELATED TO COMMERCIAL USE AND REGISTRATION OF
MINIMUM RISK PESTICIDES UNDER FIFRA SECTION 25(b)*

Date of Policy: March 6, 2001

Staff Involved in Policy Decision: Ned Zuelsdorff, Dave Fredrickson, Lori Bowman,
Ed Bergman and Brian Swingle.

Commercial Businesses for hire and Commercial Applicators not for hire are required to follow certification licensing and certification requirements, landscape application requirements and other applicable provisions of ATCP 29 to use 25(b) pesticides regardless of the fact that these pesticides are exempt from certain registration requirements in FIFRA. Examples of businesses and applicators that could be affected by this policy include landscape pesticide businesses and applicators (i.e. use of corn gluten to control broadleaf weeds) and pet groomers who may use a variety of 25(b) pesticide products.

This means, commercial for hire firms using 25(b) pesticides must have a business license and their applicators must be certified and licensed to apply 25(b) pesticides. These firms must comply with all requirements of ATCP 29 including posting and other landscape application requirements under ATCP 29.56.

Similarly commercial applicators not for hire must comply with provisions of ATCP 29 that apply to them including any appropriate landscape regulations in ATCP 29 that apply to not for hire commercial applicators using general-use pesticides.

Firms manufacturing and distributing minimal use pesticides under Section 25(b) of FIFRA are required to register their products with the Bureau of Agricultural Management's Product Registration Coordinator (Jean Kohlman), but they are not required to pay registration fees.

Questions on this policy can be directed to Ed Bergman, Brian Swingle or Dave Fredrickson.

Note: The registration and use of minimal risk pesticides will be reviewed the next time that ATCP 29 is revised.

cc: file

Ned Zuelsdorff

Dave Fredrickson

Lori Bowman

Brian Swingle

Ed Bergman

Pete Helmbrecht

Field Investigators

eab-03/01