

Pesticide Manufacturer and Labeler



How to Register Minimum Risk Pesticides

Minimum risk pesticides are a special class of pesticides that are exempt from U.S. Environmental Protection Agency (EPA) registration requirements under section 25(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), provided that certain criteria are met. The criteria for this exemption are specified under 40 CFR 152.25.

Minimum risk pesticides that qualify for exemption from EPA registration are still considered pesticides under Wisconsin law [Wis. Stat. § 94.67(25)]. Accordingly, persons or firms must first obtain a Pesticide Manufacturer and Labeler License in order to sell or distribute minimum risk pesticides in Wisconsin [Wis. Stat. § 94.68]. It is the responsibility of the person or firm whose name and address appears on the pesticide product label to obtain this license and register each minimum risk pesticide product at least 15 days prior to selling or distributing the product(s) in Wisconsin.

There are no license or surcharge fees for 25(b) minimum risk pesticide product registrations in Wisconsin. In order to sell or distribute minimum risk pesticides in Wisconsin, persons or firms must first do the following:

- 1) Verify each product meets all of EPA's minimum risk pesticide criteria, including label requirements. Use the following documents on EPA's website:
 - a) Overview of minimum risk pesticides
<http://www2.epa.gov/minimum-risk-pesticides>
 - b) Minimum risk pesticide criteria
<http://www2.epa.gov/minimum-risk-pesticides/conditions-minimum-risk-pesticides>
 - c) Minimum risk pesticides: active ingredients
<http://www2.epa.gov/minimum-risk-pesticides/active-ingredients-allowed-minimum-risk-pesticide-products>
 - d) Minimum risk pesticides: inert ingredients
<https://www.epa.gov/minimum-risk-pesticides/inert-ingredients-approved-use-minimum-risk-pesticide-products>
- 2) Submit the following:
 - a) Pesticide Manufacturer and Labeler License Application (form ARM-ACM 148; new license applicants only).

- b) EXEMPT Pesticide Product Registration Form (form ARM-ACM-246). Multiple products may be listed on the same form.
- c) A current copy of the label for each product listed on the EXEMPT Pesticide Product Registration Form. Do not submit printed copies. Submit labels as text-searchable pdf documents (not scanned copies) via ALSTAR or email to datcppesticideregistration@wi.gov.

A \$250 penalty fee will be assessed on any unreported/unregistered 25(b) minimum risk pesticides being distributed in Wisconsin [Wis. Stat. § 94.681(5)]. 25(b) minimum risk pesticides must have their registrations renewed annually. New 25(b) minimum risk pesticides submitted for registration and renewed 25(b) minimum risk pesticide products that are actively registered in Wisconsin will continue to pay a \$0 registration fee.

To expedite your application, submit the complete application and a text-searchable PDF of the label to datcppesticideregistration@wi.gov. You may also mail your application to:

DATCP
ATTN PESTICIDE PRODUCT REGISTRAR
ARM DIV 2ND FLOOR
PO BOX 8911
MADISON, WI 53708-8911

Persons or firms who sell or distribute both exempt and non-exempt (Section 3) products in Wisconsin must register each product but pay registration fees and surcharges only for the non-exempt products.

Promptly notify DATCP of any changes to company name or address.

If you have any questions about Wisconsin pesticide registration requirements, please contact:

Pesticide Product Registrar
(608) 224-4536
datcppesticideregistration@wi.gov

