

TABLE 2—INERT INGREDIENTS PERMITTED IN MINIMUM RISK PESTICIDE PRODUCTS—Continued

Label display name	Chemical name	CAS No.
Vermiculite	Vermiculite	1318–00–9
Vinegar	Vinegar (maximum 8% acetic acid in solution)	8028–52–2
Vitamin C	L-Ascorbic acid	50–81–7
Vitamin E	Vitamin E	1406–18–4
Walnut flour	Walnut flour	N/A
Walnut shells	Walnut shells	N/A
Wheat	Wheat	N/A
Wheat flour	Wheat flour	N/A
Wheat germ oil	Wheat germ oil	8006–95–9
Wheat oil	Oils, wheat	68917–73–7
Whey	Whey	92129–90–3
White mineral oil	White mineral oil (petroleum)	8042–47–5
Wintergreen oil	Wintergreen oil	68917–75–9
Wollastonite	Wollastonite (Ca(SiO ₃))	13983–17–0
Wool	Wool	N/A
Xanthan gum	Xanthan gum	11138–66–2
Yeast	Yeast	68876–77–7
Zeolites	Zeolites (excluding erionite (CAS Reg. No. 66733–21–9))	1318–02–1
Zeolites, NaA	Zeolites, NaA	68989–22–0
Zinc iron oxide	Zinc iron oxide	12063–19–3
Zinc oxide	Zinc oxide (ZnO)	1314–13–2
Zinc stearate	Octadecanoic acid, zinc salt	557–05–1

(3) *Other conditions of exemption.* All of the following conditions must be met for products to be exempted under this section:

(i) Each product containing the substance must bear a label identifying the label display name and percentage (by weight) of each active ingredient as listed in table 1 in paragraph (f)(1) of this section. Each product must also list all inert ingredients by the label display name listed in table 2 in paragraph (f)(2)(iv) of this section.

(ii) The product must not bear claims either to 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.

(iii) Company name and contact information.

(A) The name of the producer or the company for whom the product was produced must appear on the product label. If the company whose name appears on the label in accordance with this paragraph is not the producer, the company name must be qualified by appropriate wording such as “Packed for [insert name],” “Distributed by [insert name],” or “Sold by [insert name]” to show that the name is not that of the producer.

(B) Contact information for the company specified in accordance with paragraph (f)(3)(iii)(A) of this section must appear on the product label including the street address plus ZIP code and the telephone phone number of the location at which the company may be reached.

(C) The company name and contact information must be displayed prominently on the product label.

(iv) The product must not include any false and misleading labeling statements, including those listed in 40 CFR 156.10(a)(5)(i) through (viii).

(4) *Providing guidance.* Guidance on minimum risk pesticides is available at <http://www2.epa.gov/minimum-risk-pesticides> or successor Web pages.

[53 FR 15977, May 4, 1988, as amended at 59 FR 2751, Jan. 19, 1994; 61 FR 8878, Mar. 6, 1996; 66 FR 64764, Dec. 14, 2001; 71 FR 35545, June 21, 2006; 80 FR 80660, Dec. 28, 2015; 87 FR 67370, Nov. 8, 2022]

§ 152.30 Pesticides that may be transferred, sold, or distributed without registration.

An unregistered pesticide, or a pesticide whose registration has been cancelled or suspended, may be distributed or sold, or otherwise transferred, to the extent described by this section.

(a) *A pesticide transferred between registered establishments operated by the*

Environmental Protection Agency

§ 152.43

same producer. An unregistered pesticide may be transferred between registered establishments operated by the same producer. The pesticide as transferred must be labeled in accordance with part 156 of this chapter.

(b) *A pesticide transferred between registered establishments not operated by the same producer.* An unregistered pesticide may be transferred between registered establishments not operated by the same producer if:

(1) The transfer is solely for the purpose of further formulation, packaging, or labeling into a product that is registered;

(2) Each active ingredient in the pesticide, at the time of transfer, is present as a result of incorporation into the pesticide of either:

(i) A registered product; or

(ii) A pesticide that is produced by the registrant of the final product; and

(3) The product as transferred is labeled in accordance with part 156 of this chapter.

(c) *A pesticide distributed or sold under an experimental use permit.* (1) An unregistered pesticide may be distributed or sold in accordance with the terms of an experimental use permit issued under FIFRA sec. 5, if the product is labeled in accordance with §172.6 of this chapter.

(2) An unregistered pesticide may be distributed or sold in accordance with the provisions of §172.3 of this chapter, pertaining to use of a pesticide for which an experimental use permit is not required, provided the product is labeled in accordance with part 156 of this chapter.

(d) *A pesticide transferred solely for export.* An unregistered pesticide may be transferred within the United States solely for export if it meets the following conditions:

(1) The product is prepared and packaged according to the specifications of the foreign purchaser; and

(2) The product is labeled in accordance with part 156 of this chapter.

(e) *A pesticide distributed or sold under an emergency exemption.* An unregistered pesticide may be distributed or sold in accordance with the terms of an emergency exemption under FIFRA sec. 18, if the product is labeled in accordance with part 156 of this chapter.

(f) *A pesticide transferred for purposes of disposal.* An unregistered, suspended, or cancelled pesticide may be transferred solely for disposal in accordance with FIFRA sec. 19 or an applicable Administrator's order. The product must be labeled in accordance with part 156 of this chapter.

(g) *Existing stocks of a formerly registered product.* A cancelled or suspended pesticide may be distributed or sold to the extent and in the manner specified in an order issued by the Administrator concerning existing stocks of the pesticide.

Subpart C—Registration Procedures

SOURCE: 53 FR 15978, May 4, 1988, unless otherwise noted.

§ 152.40 Who may apply.

Any person may apply for new registration of a pesticide product. Any registrant may apply for amendment of the registration of his product.

§ 152.42 Application for new registration.

Any person seeking to obtain a registration for a new pesticide product must submit an application for registration, containing the information specified in §152.50. An application for new registration must be approved by the Agency before the product may legally be distributed or sold, except as provided by §152.30.

§ 152.43 Alternate formulations.

(a) A product proposed for registration must have a single, defined composition, except that EPA may approve a basic formulation and one or more alternate formulations for a single product.

(b) An alternate formulation must meet the criteria listed in paragraph (b) (1) through (4) of this section. The Agency may require the submission of data to determine whether the criteria have been met.

(1) The alternate formulation must have the same certified limits for each active ingredient as the basic formulation.

(2) If the alternate formulation contains an inert ingredient or impurity of