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A Brief Tutorial of United States Pesticide Registration Practices

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In the U. S .there is a federal regulatory procedure in which all pesticide registrants must first consider national requirements as specified in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) as administered by the Environmental Protection Agency (EPA). Once cleared by the EPA the registrant must then obtain registration by each state, territory, Indian Territory and the District of Columbia before sales can occur in these domains. The secondary registrations are generally readily provided unless any given secondary regulatory agency desires to impose greater restraints, such as ground water concerns. The states are guided by the Association of American Pesticide Control Officials (AAPCO) and each state/provincial government has unique laws, compliance for which must be fulfilled for the label and the labeling (supportive literature). These laws have been implemented to protect the applicator, citizenry and the environment.

Under FIFRA any product that claims to “kill”, “control”, “mitigate”, “regulate” or influence any living organism in any fashion is considered to be a pesticide. However there are various levels of federal regulatory clearance. If the EPA deems the product to be innocuous and of negligible risk all registrations may be waived. An example of this could be a soap, which is frequently used to control soft bodied insects, such as aphids. Some states will not accept the EPA waiver and may still require registration although there is no federal label required (Virginia is an example) .In the event that the product has a modest level of concern a series of 6 acute toxicity tests are all that may be required. This type of product might be a bacterium or other biological pesticide. If the pesticide is a chemical that may only have acute toxicity concerns a full EPA clearance remains relatively simple . This is considered to be a Tier 1 registration. However if the product demonstrates potential chronic or negative environmental effects the regulatory approval becomes a monumental, expensive task that may take 7-10 years and millions of dollars to complete. This is a Tier 2 registration.

Prior to any efforts to register a pesticide in the United States it would be prudent for any registrant to seek guidance and strategy development by a knowledgeable expert in the Pesticide Regulatory Compliance field. There are many consultants and organizations that can assist in this strategic planning. W S Associates can economically guide you through this process.

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January 1, 2015