

US EPA ARCHIVE DOCUMENT

## Potential Principles and Process for Including Factual Statements on Pesticide Labeling

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### Potential Principles

1. Factual statements regarding products other than the pesticide are presumptively acceptable. EPA may object if it concludes such statements interfere with required label text. Examples include:
  - Recycled content of packaging
  - Content of ink used in printing
  - Container uses xx% less material than traditional size
2. Factual statements regarding corporate commitments are presumptively acceptable. For example, “X Company is working to reduce its carbon footprint. Go to: [Xcolesscarbon.com](http://Xcolesscarbon.com) to see how.” Two limitations are proposed in this area:
  1. **“Cause Marketing Statements”**: Such statements (“Company A contributes B \$ to C NGO or cause for each product purchased.”) are governed by existing OPP guidance and no expansion of such statements is permitted here.
  2. **“Non-Pesticidal”**: Allowable “corporate commitment” statements are restricted to non-pesticidal subjects. Corporate efforts to reduce greenhouse gas emissions, for example, are permissible while characterizations of registered products which are inconsistent with the label are not. **(Example” “Another safer, green disinfectant from Company X.”)**
3. Factual statements concerning non-pesticidal properties of antimicrobial pesticides are presumptively acceptable unless they interfere with required label text. For certain statements (i.e. “biodegradable”, “plant derived”) the use of existing methods and standards will be required. Examples include:
  - Fragrance or dye free
  - Readily biodegradable in water
  - Contains only plant-derived ingredients
  - Concentrated to minimize greenhouse gas emissions in shipping
4. EPA’s current prohibition on claims of “natural” would continue in effect until a clear definition is issued. General claims of environmental preferability would continue to be prohibited.

These four principles will allow a limited set of factual statements to appear on pesticide labels. None should result in misleading statements, and many are similar to non-pesticidal property statements already on labels. This is particularly true for antimicrobials, which have the benefit of the special provision in 7 USC §136a(c)(9).

### **Process for Implementation**

Implementing these principals should require no changes in EPA's regulations. There appear to be several options for implementing them. Potential approaches include:

1. Documentation for each claim must be submitted to EPA and reviewed within the time frame for EPA to disapprove notifications set forth in section 136a (c) (9).
2. Documentation for each claim is submitted to EPA but not reviewed. In the event of a complaint or concern, EPA can review the materials and determine whether documentation is adequate.
3. Documentation is not submitted but is maintained by the registrant, much as documentation of efficacy is today. In the event of an issue or complaint, EPA can request the documentation and review it.

These options, and possibly others, warrant further consideration and refinement by at stakeholder group as vehicles to implement a program that will allow registrants to make factual statements regarding non-pesticidal aspects of FIFRA registered products.