

# RESTRICTED USE PESTICIDE (RUP)



**Restricted Use Pesticide  
License Required**

# FEDERAL INSECTICIDE FUNGICIDE AND RODENTICIDE ACT

- EPA reviews all products and tests and then creates the label.
- The label is the law.
- FIFRA preempts state imposed requirements in the area of labeling and packaging. 7 U.S.C. §136v(a).
  - (b) UNIFORMITY.—Such State shall not impose or continue in effect any requirements for labeling or packaging in addition to or different from those required under this Act.
- State may provide registration for additional uses of federally registered pesticides to meet special local needs if registration for such use has not previously been denied, disapproved, or canceled by the Administrator.” 7 U.S.C. §136(c).
  - Registration for additional use must be approved by the EPA.

(c) ADDITIONAL USES.—

(1) A State may provide registration for additional uses of federally registered pesticides formulated for distribution and use within that State to meet special local needs in accord with the purposes of this Act and if registration for such use has not previously been denied, disapproved, or canceled by the Administrator. Such registration shall be deemed registration under section 3 for all purposes of this Act, but shall authorize distribution and use only within such State.

# RUP UNDER FIFRA

## USEPA RUP Classification

- Restricts the sale and use of product to the general public through the product label.
- To be used by a certified applicator or someone under the certified applicator's direct supervision (not available to the general public).
- Has the potential to cause unreasonable adverse effects to the environment and injury to applicators or bystanders without added restrictions.

# EPA CRITERIA FOR RESTRICTION TO USE BY CERTIFIED APPLICATORS

## When a product may be classified to be used by certified applicators ?

- Product toxicity exceeds specific hazard criteria for human health or non-target species;
- Evidence from field studies, use history, accident data, monitoring data.
- Label is not adequate to mitigate the identified hazards;
- Restriction would decrease the risk of adverse effects; and
- Decrease in risk is more than the decrease in benefits.

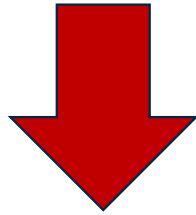
# EPA CRITERIA FOR HAZARD TO NON-TARGET SPECIES

## When a product intended for outdoor use may cause unreasonable adverse effects?

- When used according to label directions, the level of residues of the pesticide, its metabolites, or its degradation products in the diet of exposed organism is:
    - one-fifth of the acute dietary mammalian wildlife LC50;
    - one-fifth of the avian subacute dietary LC50;
    - one-tenth of the acute LC50 for non-target aquatic organisms;
- OR
- When discernible adverse effects on non-target organisms, such as significant mortality or effects on the physiology, growth, population levels or reproduction rates are identified.

# EPA RUP DECISION PROCESS

Does the product fall under these two criteria----- Yes



Would the additional labeling language be adequate to mitigate the identified hazard(s) without RUP classification.