

Questions & Answers

Pesticides and Child-Resistant Packaging

Q. Who has the authority for child-resistant packaging (CRP) for pesticide products?

A. EPA has the authority for CRP for pesticides; however, EPA's CRP standards are consistent with those of the Consumer Product Safety Commission (CPSC).

Q. Are EPA's CRP regulations similar to CPSC's?

A. Yes, EPA's and CPSC's CRP standards are similar. However, there are some differences in the regulations, which are:

- The registrant must comply with EPA's CRP regulations before they can register residential use pesticides for sale and distribution in the United States;
- The pesticide manufacturer (not the Agency) bears the burden of proof regarding compliance with the CRP regulations;
- Residential use pesticides meeting one or more of six toxicity criteria (not just acute oral toxicity) must be in CRP;
- The pesticide manufacturer must certify to the EPA that their product, as packaged, will meet certain standards of effectiveness, compatibility, and durability. The manufacturer must have data on file to substantiate their certification;
- EPA requires CRP for all sizes of packaging for pesticides that are subject to the CRP regulations with the exception of certain large sizes. EPA does not have a noncomplying size provision for the elderly and handicapped.

Q. Will EPA use the new CRP protocol test being developed by CPSC?

A. Yes, FIFRA mandates that EPA's CRP standards be consistent with those of the CPSC.



Q. How long has EPA required CRP?

A. Since 1979.

Q. What types of products must be contained in CRP?

A. Some of the types of pesticides that must be contained in CRP are toilet bowl cleaners, mildewicides, rodenticides, insecticides, flea and tick products for cats and dogs, ant and roach products, lawn and garden products, weed killers, fungicides, marine paints, herbicides, pool chemicals, disinfectants, and laundry bleaches.

Q. What else is EPA doing to prevent injuries and promote child safety?

A. EPA is monitoring compliance with the CRP regulations by reviewing consumer complaints as well as injury incidents. The consumer complaints which do not involve injuries may be referred to the pesticide manufacturer for investigation and follow-up with the Agency regarding their findings.

EPA is concerned that some of the pesticide use patterns present exposure hazards that CRP alone cannot address. Consequently, the Agency has adopted numerous auxiliary safety measures to reduce exposures to these pesticides.

Ready-to-use bait stations or other devices that have the pesticide in a contained "package" that is accessible to children for prolonged periods of time must demonstrate that the pesticide will not come out of the package if the child handles the package (abuses, bites, sucks, etc.).

EPA has developed testing protocols to protect children from ready-to-use bait stations that may be in prolonged use in the home. If the package is considered small enough that a child might swallow it, certain tests are requested to demonstrate that the child cannot swallow, choke, or bite off a piece of the package.

Q. What size packages are exempt from CRP?

A. The pesticide package sizes exempt from CRP include products that are 50 pounds or greater for non-liquid products, 5 gallons or greater for liquids products, except for liquid swimming pool chemicals, which must be greater than 7.5 gallons to be exempt.

Q. Are there any CRP exemptions based on a lack of toxicity or technical factors?

A. Not at this time. There were two technical factor exemptions in 1981 based on CRP availability, which have long since expired.

Q. What is EPA doing about bittering agents?

A. EPA currently permits bittering agents to be added to rodenticide baits provided the bait continues to meet palatability and mortality requirements (rodents still eat it and die), and the pesticide manufacturer makes no claims of safety for the product. Pesticide manufacturers are permitted to indicate on the label that a bittering agent is in the product. However, the pesticide manufacturer may not use the presence of the bittering agent as a basis for stating or implying that the bait is safer than others, and/or that users need not take bait protection requirements seriously. The EPA is currently monitoring the CPSC's regulatory approach to bittering agents, as well as state legislation.