

§ 156.62

40 CFR Ch. I (7-1-02 Edition)

and graphic material to make them unlikely to be overlooked under customary conditions of purchase and use. The table below shows the minimum type size requirements for the front panel warning statements for various front panel sizes.

TYPE SIZES FOR FRONT PANEL WARNING STATEMENTS

| Size of Label Front Panel (Square Inches) | Point Size | |
|---|-----------------------------------|----------------------|
| | Signal Word (All Capital Letters) | Child Hazard Warning |
| 5 and under | 6 | 6 |
| Over 5 to 10 | 10 | 6 |
| Over 10 to 15 | 12 | 8 |
| Over 15 to 30 | 14 | 10 |
| Over 30 | 18 | 12 |

(2) *Other required statements.* All other hazard and precautionary statements must be at least 6 point type.

§ 156.62 Toxicity Category.

This section establishes four Toxicity Categories for acute hazards of pesticide products, Category I being the highest toxicity category. Most human hazard, precautionary statements, and human personal protective equipment statements are based upon the Toxicity Category of the pesticide product as sold or distributed. In addition, toxicity categories may be used for regulatory purposes other than labeling, such as classification for restricted use and requirements for child-resistant packaging. In certain cases, statements based upon the Toxicity Category of the product as diluted for use are also permitted. A Toxicity Category is assigned for each of five types of acute exposure, as specified in the table in this paragraph.

ACUTE TOXICITY CATEGORIES FOR PESTICIDE PRODUCTS

| Hazard Indicators | I | II | III | IV |
|-----------------------------------|---|--|---|---------------------------------------|
| Oral LD ₅₀ | Up to and including 50 mg/kg | >50 thru 500 mg/kg | >500 thru 5,000 mg/kg | >5,000 mg/kg |
| Dermal LD ₅₀ | Up to and including 200 mg/kg | >200 thru 2000 mg/kg | >2000 thru 20,000 mg/kg | >20,000 mg/kg |
| Inhalation LC ₅₀ | Up to and including 0.2 mg/liter | >0.2 thru 2 mg/liter | >2 thru 20 mg/liter | >20 mg/liter |
| Eye irritation | Corrosive; corneal opacity not reversible within 7 days | Corneal opacity reversible within 7 days; irritation persisting for 7 days | No corneal opacity; irritation reversible within 7 days | No irritation |
| Skin irritation | Corrosive | Severe irritation at 72 hours | Moderate irritation at 72 hours | Mild or slight irritation at 72 hours |

§ 156.64 Signal word.

(a) *Requirement.* Except as provided in paragraph (a)(4), each pesticide product must bear on the front panel a signal word, reflecting the highest Toxicity Category (Category I is the highest toxicity category) to which the product is assigned by any of the five routes of exposure in §156.62. The signal word must also appear together with the heading for the human precautionary statement section of the labeling (see §156.70).

(1) *Toxicity Category I.* Any pesticide product meeting the criteria of Toxicity Category I for any route of exposure must bear on the front panel the signal word "DANGER." In addition, if the product is assigned to Toxicity Category I on the basis of its oral, inhalation or dermal toxicity (as distinct

from skin and eye irritation), the word "Poison" must appear in red on a background of distinctly contrasting color, and the skull and crossbones symbol must appear in immediate proximity to the word "Poison."

(2) *Toxicity Category II.* Any pesticide product meeting the criteria of Toxicity Category II as the highest category by any route of exposure must bear on the front panel the signal word "WARNING."

(3) *Toxicity Category III.* Any pesticide product meeting the criteria of Toxicity Category III as the highest category by any route of exposure must bear on the front panel the signal word "CAUTION."