

**Environmental Protection Agency**

**§ 156.85**

FLAMMABILITY STATEMENTS FOR NON-PRESSURIZED PRODUCTS

| Flash point                  | Required labeling statement  |
|------------------------------|--|
| At or below 20 °F            | <i>Extremely flammable.</i> Keep away from fire, sparks and heated surfaces. |
| Greater than 20 °F to 80 °F  | <i>Flammable.</i> Keep away from heat and open flame.                        |
| Greater than 80 °F to 150 °F | <i>Combustible.</i> Do not use or store near heat or open flame.             |

(d) *Total release fogger products.* (1) A *total release fogger* is defined as a pesticide product in a pressurized container designed to automatically release the total contents in one operation, for the purpose of creating a permeating fog within a confined space to deliver the pesticide throughout the space.

(2) If a pesticide product is a total release fogger containing a propellant with a flash point at or below 20 °F, then the following special instructions must be added to the "Physical and Chemical Hazards" warning statement, in addition to any flammability statement required by paragraph (b) of this section:

This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the Directions for Use on this label very carefully.

(3) A graphic symbol depicting fire, such as illustrated in this paragraph, or an equivalent symbol, must be displayed along with the required language adjoining the "Physical and Chemical Hazards" warning statement. The graphic symbol must be no smaller than twice the size of the first character of the human hazard signal word.



Highly Flammable Ingredient  
 Ingrediente Altamente Inflamable

**Subpart E—Environmental Hazard and Precautionary Statements**

SOURCE: 66 FR 64767, Dec. 14, 2001, unless otherwise noted.

**§ 156.80 General.**

(a) *Requirement.* Each product is required to bear hazard and precautionary statements for environmental hazards, including hazards to non-target organisms, as prescribed in this subpart. Hazard statements describe the type of hazard that may be present, while precautionary statements direct or inform the user of actions to take to avoid the hazard or mitigate its effects.

(b) *Location of statements.* Environmental hazard and precautionary statements may appear on any panel of the label and may be required also in supplemental labeling. The environmental hazard statements must appear together under the heading "Environmental Hazards." Typically the statements are grouped as a sub-category within the "Precautionary Statements" section of the labeling.

(c) *Type size.* All environmental hazard and precautionary statements must be at least 6 point type.

**§ 156.85 Non-target organisms.**

(a) *Requirement.* Where a hazard exists to non-target organisms, EPA may require precautionary statements of the nature of the hazard and the appropriate precautions to avoid potential accident, injury, or damage.

(b) *Examples.* The statements in this paragraph illustrate the types of hazard statements that EPA may require and the circumstances under which they are typically required. These statements are not comprehensive; other statements may be required if more appropriate to the formulation or use.

(1) If a pesticide intended for outdoor use contains an active ingredient with a mammalian acute oral LD<sub>50</sub> of 100 mg/kg or less, the statement, "This pesticide is toxic to wildlife" is required.

(2) If a pesticide intended for outdoor use contains an active ingredient with a fish acute LC<sub>50</sub> of 1 ppm or less, the