
40 C.F.R. § 152.170

Criteria for restriction to use by certified applicators.

(a) *General criteria.* An end-use product will be restricted to use by certified applicators (or persons under their direct supervision) if the Agency determines that:

- (1) Its toxicity exceeds one or more of the specific hazard criteria in paragraph (b) or (c) of this section, or evidence described in paragraph (d) of this section substantiates that the product or use poses a serious hazard that may be mitigated by restricting its use;
- (2) Its labeling, when considered according to the factors in paragraph (e)(2) of this section, is not adequate to mitigate these hazard(s);
- (3) Restriction of the product would decrease the risk of adverse effects; and
- (4) The decrease in risks of the pesticide as a result of restriction would exceed the decrease in benefits.

(b) *Criteria for human hazard* —(1) *Residential and institutional uses.* A pesticide product intended for residential or institutional use will be considered for restricted use classification if:

- (i) The pesticide, as diluted for use, has an acute oral LD₅₀ of 1.5 g/kg or less;
- (ii) The pesticide, as formulated, has an acute dermal LD₅₀ of 2000 mg/kg or less;
- (iii) The pesticide, as formulated, has an acute inhalation LC₅₀ of 0.5 mg/liter or less, based upon a 4-hour exposure period;
- (iv) The pesticide, as formulated, is corrosive to the eye (causes irreversible destruction of ocular tissue) or results in corneal involvement or irritation persisting for more than 7 days;

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