

## **Pest Control Devices<sup>1</sup>**

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Frederick M. Fishel<sup>2</sup>

### **Introduction**

Pesticides are commonly thought of as chemicals that are federally regulated by the Environmental Protection Agency (EPA). EPA also has a role in regulating devices used to control pests. How a device might be regulated, however, depends on the device's specific design, function, and whether it incorporates or is used with a pesticide. This publication's purpose is to help better understand the difference between a pest control device and a pesticide.

### **What Are the Differences?**

Key differences between pest control devices, pesticide products, and certain combinations can be illustrated as follows:

- A pesticide product is considered a substance or mixture of substances designed to prevent, attract, repel, destroy, or mitigate a pest (Figure 1).
- A product is a pest control device if it uses only physical or mechanical means to trap, destroy, repel, or mitigate any pest and does not include

any pesticidal substance or mixture of substances. An example is a tamper-proof rodent bait station sold without containing rodenticide (Figure 2).

- Pesticide application equipment that is sold separately from the pesticide itself is not considered to be a device or a pesticide. For example, a sprayer for a lawn pesticide (Figure 3) that is sold separately from the pesticide is application equipment—it is neither a device nor a pesticide and is not regulated by the EPA.
- If a device and a pesticide product are packaged together, that combined product is a pesticide product subject to registration requirements. For example, octenol is registered as a pesticide product intended to attract certain species of mosquitoes and biting flies. If octenol is distributed or sold in—or packaged with—a trap for that purpose, the combination product is a pesticide product that must be EPA-registered separately. If the trap is sold without the octenol, it is a device regulated by EPA.

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2. Frederick M. Fishel, Associate Professor, Agronomy Department, and Director, Pesticide Information Office; Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611.

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**Figure 1.** Rodenticides claiming rat and mice control are regulated by the EPA as pesticides. Credits: UF/IFAS Pesticide Information Office.



**Figure 2.** Empty, tamper-proof rodent bait station. Credits: UF/IFAS Pesticide Information Office.



**Figure 3.** Sprayer for pesticide application. Credits: UF/IFAS Pesticide Information Office.

## Regulated Pest Control Devices

Although pest control devices are not required to be registered with the EPA, some other regulatory requirements do apply. Some common examples of such pest control devices that are subject to the other regulatory requirements are:

- Ultraviolet light systems, certain water and air filters, or ultrasonic devices that make claims that the device kills, inactivates, entraps, or suppresses growth of fungi, bacteria, or viruses in various sites
- High-frequency sound generators, carbide cannons, foils, and rotating devices that make claims about repelling pests, such as birds and mice
- Black light traps, fly traps (with food as the only attractant source), electronic and heat screens, fly ribbons, glueboards, and fly paper that make claims about killing or entrapping insects
- Mole thumpers, sound repellants, foils, and rotating devices that make claims about repelling certain mammals

Devices are subject to certain labeling requirements. Labels for devices must meet certain requirements to ensure that they are not misbranded. The requirements dealing with misbranding are established by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and include, but are not limited to, the following:

- Devices cannot bear any statements that are false or misleading.
- The pesticide establishment number of the device's producer must appear on the label and on the outer container or wrapper if it cannot be seen because of the packaging.

Any facility producing a device must be registered with the EPA and have an establishment number. Producing establishments are also subject to reporting requirements. Each facility that produces pesticides and/or devices must submit a report to EPA by March 1 each year. The report lists names and

amounts, or number of pesticides or devices produced or repackaged, and amounts sold or distributed during the previous calendar year.

## Unregulated Pest Control Devices

Examples of unregulated pest control devices include:

- Those which depend more upon the performance of the person using the device than on the performance of the device itself for their effectiveness
- Those which operate to entrap vertebrate animals, such as traditional mouse traps, except glueboards

Products generally falling within these two categories include rat and mouse traps, fly swatters, tillage equipment for weed control, and fish traps.

## Additional Information

Fishel, F. M. 2005. *What is and isn't a pesticide?* UF/IFAS EDIS Document PI-96 (<http://edis.ifas.ufl.edu/pi133>). Viewed May 2010.

Florida Department of Agriculture and Consumer Services. (<http://www.flaes.org/>). Viewed May 2010.