

General Instructions for Registration and Renewal of Pesticide Products in Mississippi

A copy of the law, regulations, and forms regarding pesticide registration may be found on our website at www.mdac.ms.gov.

New Company Information: Any new registrant who has had no previous product(s) registered in Mississippi will need to fill out a Power of Attorney (POA) form which can be found using the website above. Once on the Mississippi Department of Agriculture and Commerce's home page, select "Publications and Forms" and under Bureau of Plant Industry select "Pesticide Programs". Section 69-23-23 requires non-resident firms, which distribute or offer a pesticide for sale in Mississippi, to appoint a resident agent for service of process. According to this Section, the resident agent may be either the Secretary of State (SOS) or any Mississippi resident agent who agrees to serve. In either case, the law requires the registrant to furnish a certified copy of the designation to the Bureau of Plant Industry from the Secretary of State. The appointment will remain in force indefinitely unless revoked. A firm whose name appears on the pesticide label as a distributor or a manufacturer must appoint a legal processing agent unless that firm is a division/subsidiary of another parent organization. Therefore, a certified copy of the power of attorney form verifying the parent firm's appointment of a legal agent must be provided to the Bureau of Plant Industry from the Secretary of State's Office. Power of attorney forms must be completed, notarized and sent to **the Business Services Division, Secretary of State, P. O. Box 136, Jackson, MS 39205. The Secretary of State charges a \$37.00 filing fee. Send the check or money order to the Secretary of State.** The power of attorney form must be duplicated front and back for notarization. A company is not active and cannot have active product in the State of Mississippi without this form.

If you are a Mississippi resident, a Power of Attorney is not required. However, you must provide a notarized statement indicating your Mississippi residence address. If your address changes, you are required to provide us with a notarized statement indicating your new Mississippi address.

Mississippi Pesticide Products Online System: Mississippi has an online system companies can use to access their registered products, renew products, upload revised labels, add new products, etc., at any time. Once the BPI has received a certified copy of a company's POA from the SOS, an agent can register himself/herself as the person responsible for ensuring the company's product registrations and labels are current. The agent can then register the company from his or her agent home page and begin registering products. The link to the online system is as follows: <https://www.ms.gov/MDACPesticides/index.faces>. Please contact the Bureau of Plant Industry if you need any guidance with the POA or agent/company registration. We will be glad to assist you through this process.

New Product Registration: Mississippi product registration is \$200.00 per product. Please do not register products for a company who has not submitted a completed, notarized, and certified by the Secretary of State's office POA. Once an agent and a company have been registered and have an active status in our online system, the agent can begin loading new products and labels, and also pay online. An agent will need the product information and a current label available in order to register the product. Once the agent has logged in to the online system, new products can be added by selecting the green "Manage Product" button from the company's home page. Select "Add New Product" on the next screen to enter the product information, active ingredient and percentage, and load the label. Repeat this process for each new product. Once all products have been added and you are ready to pay, under the "Manage Product" button, select "Make Payment". The process to load and pay for new products online is simple and easy, and we are glad to help any new registrants through the steps so they become familiar with the system.

Rebate Instructions: Rebates apply only to products produced in Mississippi.

Additional brand names are not eligible for rebates, since no registration fee is required for registering additional brands. Products produced in the State of Mississippi are allowed a \$100 rebate. When entering the product information into the online system, you will select box the next to the "Is this Product manufactured in Mississippi

and do you want to claim the rebate?" question. The system will only charge the registrant \$100 for that product. The label for that product must show a MS establishment number, and we must receive notarized documentation that the product is produced in Mississippi before the product will be approved.

Additional Brands: A fee is not required to register additional brands in Mississippi if they meet the following requirements of Section 5 of the regulations: (1) The EPA registration numbers must be the same for the first two sets, only the third set (distributor numbers) can be different. (2) The ingredient statements must be the same. (3) All use directions must be the same. (4) Only pesticides registered with EPA by the same manufacturer shall be considered for additional brands. Products produced for distributors and/or another company must provide the name and address of the company on the label. It must appropriately state on the label, "sold by", "distributed by", "manufactured for", or "packaged for." The online system will recognize additional brands and figure your total amount owed accordingly.

EPA Exempt Products: The regulations (see Section 7) require registration of FIFRA Section 25(b) exempt products and animal drugs which make insect control claims. If they are deemed a pesticide as defined in the law and/or regulations, they must meet all labeling and other requirements as specified. **Efficacy data are required to support label claims for FIFRA Section 25(b) products. Submit all data supporting registration of these products.**

Adjuvants: Special requirements exist for the registration of adjuvants. The label ingredient statement for adjuvants must show each active ingredient at least by the generic chemical name and the percentage for each (See Section 9 of the regulations and the instructions for registering an adjuvant). When entering the active ingredient name for adjuvants/surfactants into the online system, you will type the word "Adjuvant" and a total percentage amount of active ingredients. You will not enter the actual chemical name for adjuvants/surfactants.

Renewals: Pesticide products expire December 31st each year and must be renewed to remain active products in the State of Mississippi. Any unregistered product found being sold in Mississippi will have an immediate Stop Sale issued by our office. Renewals for existing, active products in Mississippi can be completed using our online system. A green "Renew Product" button will appear on the company home page during renewal time that will guide agents with renewing products. During this time, products will be renewed as active, products will be placed or remain in discontinuance, or products will be cancelled by the agent. During renewals, if there is no change to a label, there is NO need to load a new label. **Only labels with revisions need to be loaded before completing the renewal process.** We send emails to the current agent listed for each company reminding him or her of the renewals. If you are new to this process or need any help, please contact the Bureau of Plant Industry.

Label Updates: Revised labels must be loaded into the online system for our approval. The file size cannot be over 4.99 MB, or the system will not be able to load the label. We encourage label updates to be submitted throughout the calendar year, and not just during renewals. This allows us to better assist registrants in a timely manner during renewals.

Discontinuance of Pesticide Product Registration: By our regulations, a registrant is only required to register a product for a minimum of one year after the product has not entered the channels of trade in the State of Mississippi. The responsibility to ensure the product has been removed from all shelves in Mississippi belongs to the registrant. We will issue a Stop Sale on any unregistered product found in our State. Once the product has gone through the one year of discontinuance, the registrant can then cancel the product during the following renewal.

We realize providing every instruction would be difficult, so we hope these general guidelines will be beneficial to you as you start the process. If you have any questions or need assistance regarding pesticide product registration, renewal, label update, compliance, etc., please feel free to contact Denise Clanton at (662) 325-8147 or Penny Benoist at (662) 325-2199. You can also email us at denisec@mdac.ms.gov or penny@mdac.ms.gov.

Thank you for using our **Mississippi Pesticide Products Online System** and for the interest in registering products in the State of Mississippi.