



Criteria for Pesticides Used for the Production of Industrial Hemp in Washington

August 2017

The following represents the opinion of the Washington State Department of Agriculture (WSDA) regarding the criteria for pesticides that may be used for the production of industrial hemp (as defined in RCW 15.120.010) in Washington. This opinion may be rescinded or superseded at any time by the WSDA.

1. Pesticides that require federal registration by the U.S. Environmental Protection Agency (EPA) under Section 3 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA):
 - EPA and WSDA registration is required prior to distribution of the pesticide.
 - Prior to planting industrial hemp, use of a pesticide (e.g., broad spectrum herbicide, soil fumigant) is allowed if the food crop to be planted following application is not specified on the label, and all applicable label directions (such as replant interval) are followed.
 - Prior to planting industrial hemp, use of a pesticide (e.g., disinfectant, sanitizer) that is labelled for use for the production of food crops is allowed to control microorganisms on surfaces (such as benches, floors, pallets, pots, skids).
 - Use of a pesticide on industrial hemp is allowed if all of the following conditions are met:
 - The active ingredient is exempt from the requirements of a tolerance on all food crops (e.g., auxins, biopesticides [most active ingredients], copper, cytokinins, gibberellins, petroleum oil, phosphorous acid, pyrethrins, soap, sulfur).
 - The label has directions for use on unspecified food crops or unspecified oilseed crops. (Industrial hemp may or may not be specifically listed as a crop on the pesticide label.)
2. Section 25b minimum risk pesticides (exempt from federal registration):
 - WSDA registration is required prior to distribution of the pesticide.
 - Use on industrial hemp is allowed if the product is labeled for use on unspecified food crops or unspecified oilseed crops. (Industrial hemp may or may not be specifically listed as a crop on the pesticide label.)
3. Section 24c Special Local Need (SLN) registrations to allow the use of pesticides on industrial hemp that have been approved by the WSDA:
 - The application must demonstrate that there is a “special local need” in Washington.
 - The federally registered pesticide must be approved for use on food crops, and using similar production practices as the proposed use of the pesticide on industrial hemp.
 - There must be adequate data to demonstrate that the proposed use of the pesticide on industrial hemp will not lead to unreasonable risk to people or the environment.

WSDA has compiled a list of pesticides that fit the above criteria for use on industrial hemp. The list is not an endorsement or a recommendation regarding the use of any specific pesticide for the production of industrial hemp in Washington. The list will be updated by WSDA as needed.

A searchable list of these pesticides is available from the Washington State University Pesticide Information Center Online (PICOL) database (cru66.cahe.wsu.edu/LabelTolerance.html).

- From the “Pesticide Information Center Online (PICOL) Databases” web page, click on the “Registered Labels” button.
- After the “PICOL Simple Search” web page appears, select “ESSB 6206 (WA only)” in the “Item to Search on” drop down menu, choose “EQ” in the “Operator” drop down menu, choose “Yes” in the “Common Name” drop down menu, and then click on the “Submit Query” button.
- When the “Search Results” web page appears, click on the “Format Labels” button.
- When the “Choose your output type” web page appears, click on the “View Labels” button. You can either view the list, or export it to Excel.
- Tutorials for using PICOL are available on YouTube (www.youtube.com/channel/UCIYksSQRSKbRD3_L_iV9Czw).

Any spray adjuvant that is labeled for use on food crops can be used with a pesticide that is applied to industrial hemp, as long as the intended use is allowed by the spray adjuvant label. For example, there are some spray adjuvants that are allowed for use on food crops, but can only be used with a herbicide. A spray adjuvant with this use limitation is not allowed for use with an insecticide or a fungicide. Information on spray adjuvants that are registered for distribution in Washington is available from the WSU PICOL database.

Background Information:

WSDA has determined that, depending on actual label language, pesticides may be legally used on industrial hemp under certain very general types of crops/sites when there is an exemption from the requirement of a tolerance.

Both state and federal law require that pesticides be applied according to label directions. As part of the directions for use, pesticide labels will specify the particular crops and/or sites to which they can be applied. Depending on the particular pesticide, the crops/sites listed on the label can be expressed very specifically (e.g., “apple”), or more generally (e.g., “pome fruits”). While a pesticide with a label that specifies “apple” can only be applied to apple, a pesticide that lists “pome fruits” on the label can be applied to apple, pear, quince, etc.

Contact Information:

- **For information regarding the Industrial Hemp Research Pilot**, please contact the WSDA Commodity Inspection Division. Phone: 509-249-6931 Email: hemp@agr.wa.gov
- **For information regarding the registration of pesticides**, please contact the WSDA Pesticide Registration Section. Phone: 360-902-2025 Email: pestreg@agr.wa.gov
- **For information regarding how to comply with the pesticide label**, please contact the WSDA Pesticide Compliance Program. Phone: 360-902-2040 Email: compliance@agr.wa.gov