



## Criteria for Pesticides Used for the Production of Marijuana in Washington

April 2018

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 marijuana (as defined in RCW 69.50.101) 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 This opinion may be rescinded or superseded at any time by the WSDA.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 marijuana outdoors (such as a field), 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 marijuana in an enclosed facility (such as a greenhouse), use of a pesticide (e.g., disinfectant, sanitizer) that is labelled for use in an enclosed facility used for the production of food crops is allowed in order to control microorganisms on surfaces (such as benches, floors, pallets, pots, skids).
  - Use of a pesticide on marijuana 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 (outdoor or enclosed) or unspecified herbs (outdoor or enclosed). This includes unspecified food crops or unspecified herbs grown as bedding plants, or in home gardens\*. (Marijuana will not be specifically listed as a crop on the pesticide label.)
    - Data from pyrolysis studies have not led to an exceedance in the level of concern (LOC) or other parameters and have not resulted in EPA denying use of the active ingredient on tobacco.
2. Section 25b minimum risk pesticides (exempt from federal registration):
  - WSDA registration is required prior to distribution of the pesticide.
  - Use of a pesticide on marijuana 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., commonly consumed food commodities, edible fats and oils).
    - The label has directions for use on unspecified food crops (outdoor or enclosed) or unspecified herbs (outdoor or enclosed). This includes unspecified food crops or unspecified herbs grown as bedding plants, or in home gardens\*. (Marijuana may or may not be specifically listed as a crop on the pesticide label.)

*\*Pesticides labeled for use on home gardens are not generally intended for use by commercial growers. These pesticides are generally intended for use by those individuals (or their designated providers) that are authorized to grow marijuana by their healthcare practitioner.*

WSDA has compiled a list of pesticides that fit the above criteria for use in marijuana production. The list is not an endorsement or a recommendation regarding the use of any specific pesticide for the production of marijuana in Washington. The list has been provided to the Washington State Liquor and Cannabis Board and the Washington State Department of Health, and 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](http://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 “I-502/I-692 (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](http://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 marijuana, 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:**

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., “wheat”), or more generally (e.g., “cereal grains”). While a pesticide with a label that specifies “wheat” can only be applied to wheat, a pesticide that lists “cereal grains” on the label can be applied to wheat, barley, oats, rye, etc.

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

Pesticide active ingredients that do not have any labeled uses on food crops include the plant growth regulators daminozide and paclobutrazol. These active ingredients cannot be used on marijuana grown in Washington, since an exemption from tolerance has not been established by the EPA.

### **Contact Information:**

**For information regarding licensing and regulating marijuana (including pesticide use)**, please contact the Marijuana Examiner Program (LCB). Phone: 360-664-1614 Email: [mjexaminer@lcb.wa.gov](mailto:mjexaminer@lcb.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](mailto: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: [pcompliance@agr.wa.gov](mailto:pcompliance@agr.wa.gov)