



Criteria for Pesticides Used for the Production of Marijuana in Washington

A P R I L 2 0 2 0

The following represents the opinion of the Washington State Liquor and Cannabis Board (LCB) and 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 This opinion may be rescinded or superseded at any time by either agency.

- 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):
 - A.** EPA and WSDA registration is required prior to distribution of the pesticide.
 - B.** 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. For example, an herbicide label that states: “May be used to kill grass and broadleaf weeds prior to planting vegetables,” can be used before planting marijuana. However, an herbicide product with a label stating: “May be used to kill grass and broadleaf weeds prior to planting corn, tomatoes and onions,” cannot be used before planting marijuana.
 - C.** 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).
 - D.** Use of a pesticide on marijuana is allowed if all of the following conditions are met:
 - I.** 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, and sulfur).
 - II.** 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.)
 - III.** Data from pyrolysis studies have not led to an exceedance in the level of concern (LOC) and have not resulted in EPA denying use of the active ingredient on tobacco.
 - E.** Post-harvest pesticide use in facilities where marijuana products are being processed is limited to non-contact (e.g., crack and crevice) or indirect uses only, unless the active ingredient meets all of the conditions listed above and is labeled for post-harvest use. Any pesticide must be specifically labeled for the intended use (e.g., food processing establishment).

Note: If a product has an EPA registration number on the label, it is a pesticide.

- 2.** Section 25b minimum risk pesticides (exempt from federal registration and do not have an EPA registration number on the label):
 - A.** WSDA registration is required prior to distribution of the pesticide.

- B.** Use of a pesticide on marijuana is allowed if all of the following conditions are met:
- I.** 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).
 - II.** 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.)

**Note: Section 3 and Minimum Risk (25b) pesticides intended for “residential use only” or “home garden use only” cannot be used on commercial marijuana.*

- 3.** Adjuvants that are intended to be used with pesticides meet the Washington state definition of a pesticide. 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 an 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.

WSDA has compiled a list of pesticides that meet the criteria listed in 1. D. and 2 above 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 all Washington registered pesticides is available from the Washington State University Pesticide Information Center Online (PICOL) database (<https://picol.cahnrs.wsu.edu/>). You can easily find those pesticides allowed for use on marijuana. You can also refine your search. For example, you could develop a list of pesticides for mite control on marijuana. Video tutorials for using PICOL can be found at: <https://picol.cahnrs.wsu.edu/Support/VideoTutorials>.

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 marijuana laws and regulations (including pesticide use), please contact the Liquor and Cannabis Board Enforcement Division. Phone: 360-664-1632 Email: mjenforcenr@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

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