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## SECTION 2(ee) USE RECOMMENDATION FACT SHEET

***WSDA does not require registration or approval of section 2(ee) use recommendations.***

Section 2(ee) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and General Pesticide Rule WAC 16-228-1225 allow pesticide users to apply pesticides under certain limited conditions that are not specified on a pesticide label. Written bulletins or recommendations are not required for applicators to make applications that are allowed under section 2(ee). Registrants sometimes issue section 2(ee) use recommendations for their products in the form of written bulletins. These written bulletins are not labels nor are they required to be registered with WSDA. However, written bulletins are considered "labeling" and must be consistent with FIFRA requirements and the section 3 label.

***Section 2(ee) of FIFRA and General Pesticide Rule WAC 16-228-1225 allow that a pesticide may be:***

- Applied at any dosage, concentration, or frequency less than that specified on the label (unless the label specifically prohibits such an application).
- Applied against any target pest not specified on the label (unless EPA has required that the pesticide may be used only for the specified pests).
- Applied by any method not prohibited by the label (unless the label specifically states the pesticide may be applied only by the methods specified on the label). Examples of methods include aerial, ground and airblast.
- Mixed with another pesticide or a fertilizer (if not prohibited by the label).

***Please be aware that section 2(ee) use recommendations are subject to the following restrictions:***

- The section 2(ee) use recommendation cannot add a crop/site, or expand an existing crop/site.
- The section 2(ee) use recommendation cannot increase the dosage, concentration or frequency of application.
- The section 2(ee) use recommendation cannot decrease the pre-harvest interval or the interval between applications.
- The section 2(ee) use recommendation cannot change the timing or type of application. Examples of timing of application include pre-bloom versus post-bloom and pre-harvest versus post-harvest. Examples of type of application include indoor versus outdoor and soil incorporated versus foliar.
- The section 2(ee) use recommendation cannot add chemigation as a method of application.
- The section 2(ee) use recommendation cannot allow a lower dosage or concentration than specified on the label for pre-construction termiticide uses (refer to EPA PR Notice 96-7).

***Pesticide applicators are not required to have a copy of the section 2(ee) use recommendation when making an application allowed under section 2(ee) of FIFRA and General Rules. Written bulletins may not include statements or requirements to the contrary. The registrant is responsible for ensuring the recommended use is consistent with the section 3 label and is allowed under section 2(ee). Registrants should be aware that distribution of an incorrect section 2(ee) recommendation is an unlawful act that can result in compliance action.***

### **WSDA CONTACT INFORMATION**

For information on pesticide registration in Washington, contact the WSDA Pesticide Registration Section at (360) 902-2025 or e-mail [pestreg@agr.wa.gov](mailto:pestreg@agr.wa.gov). The fax number is (360) 902-2093. WSDA laws and rules, forms, guidance documents, fact sheets, program information, contacts, and news releases are available on the WSDA web site at [agr.wa.gov](http://agr.wa.gov).