

PESTICIDE USE ON MARIJUANA

The following is being provided for informational purposes only and does not authorize, permit, endorse, or in any way approve the use, sale, cultivation, or any other activity associated with marijuana. Any such activity is subject to prosecution under federal law.

PESTICIDE REGISTRATION REQUIREMENTS

- Pesticides must be registered by both the U.S. Environmental Protection Agency (U.S. EPA) and the California Department of Pesticide Regulation (DPR) before they can be sold and used in California.
- There are no pesticides registered specifically for use directly on marijuana and the use of pesticides on marijuana plants has not been reviewed for safety or human health effects.
- Under California law, the only pesticide products not illegal to use on marijuana are those that contain an active ingredient that is exempt from residue-tolerance requirements (*See Attachment*); and
 - Registered and labeled for a use that is broad enough to include use on marijuana (e.g. unspecified green plants); or
 - Exempt from registration requirements as a minimum risk pesticide under FIFRA section 25(b) and 3 CCR § 6147. (FAC §§ 12973, 12995; 3 CCR § 6490.)

PESTICIDE USE REQUIRMENTS

- Before using any pesticide, ALWAYS read and follow the pesticide label. **The label is the law**
- If you apply pesticides to a field, you must obtain an operator identification number from the County Agricultural Commissioner and submit monthly pesticide use reports to that office. (FAC § 11408; 3 CCR § 6622; 3 CCR § 6627.) Note: No operator identification number will be issued in any local jurisdiction that prohibits marijuana cultivation.
- U.S. EPA designates certain pesticide products as federally “Restricted Use” products when they determine those products may cause unreasonable adverse effects even when used as directed on the product labeling. Restricted Use pesticides are limited to use by certified applicators, or to those under the supervision of a certified applicator.
- DPR designates certain pesticide active ingredients as California “Restricted Materials” when they determine those pesticides are especially hazardous to human health or the environment. Restricted Materials require a permit issued by the County Agricultural Commissioner. Permits will not be issued for marijuana cultivation sites. (FAC § 14001, et seq.; 3 CCR § 6400.)
- Employers must protect their workers from exposure to pesticides. State law requires that employers follow the pesticide label and:
 - Provide required personal protective equipment;
 - Provide required training and access to pesticide labels and safety information; and
 - Properly store, handle, and dispose of pesticides.

(*See Compliance Assistance Booklet; 3 CCR § 6670, et seq.; 3 CCR § 6700, et seq.;*

< <http://www.cdpr.ca.gov/docs/enforce/cmpliaast/bkltmenu.htm> >.)

RODENTICIDE USE

- Rodenticides that are designated as California Restricted Materials cannot be used; and those that are only designated as federally Restricted Use products can only be used by a certified commercial applicator. See Above.
- There are some rodenticides labeled for below ground applications that are not designated as California Restricted Materials or federally Restricted Use pesticides that can be used if consistent with the label.
- The following rodent repellants may be used in and around marijuana cultivation sites consistent with the label:
 - Capiscum Oleoresin
 - Putrescent Whole Egg Solids
 - Garlic