

# What Pesticides can be used on Hemp?

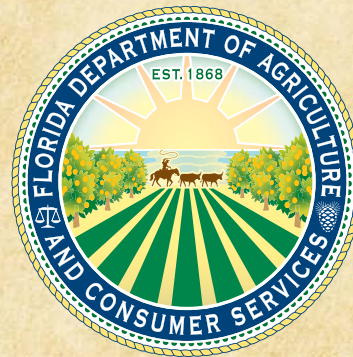
Due to hemp being illegal under federal law until recently, there are few federally registered products available for use on hemp (*Cannabis sativa L.*).

The Department recognizes there will be pest and disease pressure in the cultivation of hemp, and provides the following guidance for products to be used on hemp:

1. Any pesticide used in the production of hemp must be registered with the Department.
2. Any pesticide registered with the Department may be used for the cultivation of hemp in the State of Florida when applied in accordance with its label or labeling directions under the following conditions:
  - a. For pesticides registered with the EPA under section 3 of the FIFRA:
    - The pesticide product label expressly has directions for use on hemp.

**OR**

    - The active ingredient(s) found in the pesticide are exempt from a tolerance and;
    - The pesticide product label expressly has directions for use on unspecified food crops.  - b. For pesticides classified as “minimum risk” and exempted from federal registration under Section 25b of the FIFRA:
    - The active and inert ingredients found in the pesticide are exempt from a tolerance and;
    - The pesticide product label expressly has directions for use on cannabis, hemp, or unspecified food crops.



## Questions on a Product?

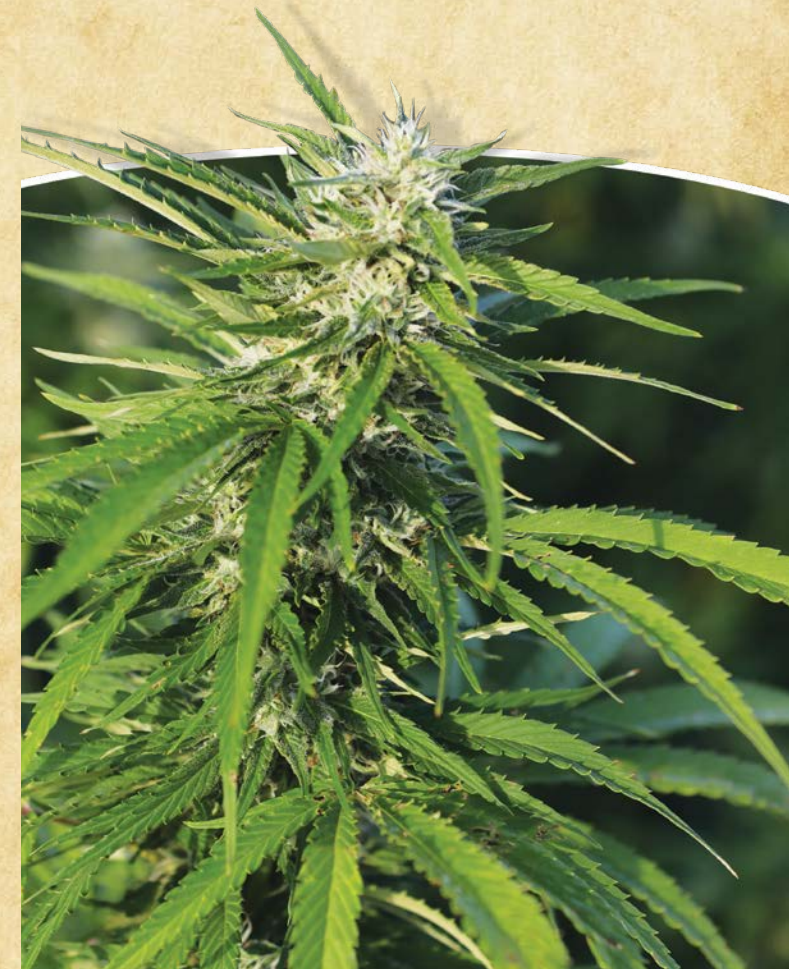
Call the Pesticide Registration Review Section at **(850) 617-7940** or email **RTS@FDACS.gov**

For additional pesticide registration information visit our website at **www.FDACS.gov**

Please note that the Department will not make product recommendations.



# HEMP AND PESTICIDES



## What is Hemp?

Section 581.217, Florida Statutes, State hemp program.—, defines “hemp” as the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers thereof, whether growing or not, that has a total delta-9 tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis.



## Pesticide Regulations

Pesticides are regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the associated sections of Title 40 of the Code of Federal Regulations (CFR). Except for pesticide products classified as “minimum risk”, all pesticides must first be registered with the EPA’s Office of Pesticide Programs.

In addition to federal registration, all pesticide products to be sold or distributed must be registered with individual states. This is commonly done through the state’s agricultural agency. The Florida Department of Agriculture and Consumer Services (Department) is the state lead agency for pesticide regulation.

As for oversight of the use of pesticide products, the Department enforces Chapter 487 of the Florida Statutes and 5E-2.031, Florida Administrative Code. These regulations provide the Department with primacy to ensure pesticide products are manufactured, sold, distributed, and used according to state and federal law, including the Worker Protection Standard and other pesticide label instructions and restrictions.

It is unlawful to use any pesticide, or to dispose of any pesticide or pesticide container in a manner inconsistent with the product label.



## What is a Pesticide?

Any substance or mixture of substances intended for:

- Preventing, destroying, repelling, or mitigating any pest
- Use as a plant regulator, defoliant, or desiccant
- Use as a nitrogen stabilizer

## What is a Tolerance?

The United States Environmental Protection Agency (EPA) sets tolerances, which are the maximum amount of a pesticide allowed to remain in or on a food, as part of the process of regulating pesticides. Currently, there are no specific tolerances for hemp, however this could change at any time.



## What are “Minimum Risk” Pesticides?

FIFRA Section 25(b) provides EPA’s Administrator the authority to exempt certain pesticide active ingredients from registration under FIFRA, thus eliminating the requirement for EPA review and approval of the product. The active ingredients falling under Section 25(b) are considered “minimum risk” because of their low toxicity and, in many cases, ubiquity. Examples include peppermint oil, cinnamon, garlic oil, and sodium chloride. However, under the State’s registration requirements, the Department maintains oversight of these EPA exempt brands through the pesticide product review and registration process.

Title 40 CFR 152.25 describes the conditions under which EPA established an exemption from the requirements of FIFRA for certain pesticide substances. These substances are divided into treated articles (treated wood products), pheromones, foods as attractants, and minimum risk pesticides.