



# COMMONWEALTH of VIRGINIA

## Department of Agriculture and Consumer Services

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**FROM:** Virginia Department of Agriculture and Consumer Services  
Office of Pesticide Services

**DATE:** September 5, 2019

**RE:** Pesticide use on hemp

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The 2018 federal Farm Bill allows the commercial production of hemp. As with all agricultural production, it may be necessary to control pests when producing industrial hemp using a variety of approaches, including the application of pesticides. Currently, there are a limited number of pesticides registered for use on industrial hemp, and there are no established food tolerances for any pesticide applied to hemp that is grown for animal or human consumption. The legal use of a pesticide in Virginia is dictated by the instructions on the product label that is developed as part of the federal registration process for all pesticide products and based on the site of application.

The Virginia Department of Agriculture and Consumer Services (VDACS) is providing this information to assist hemp growers in identifying those pesticide products allowed to be used in the production of hemp that will not be consumed, as well as those that are allowed for use on hemp that is grown for animal or human consumption. This information is not an endorsement or a recommendation to use pesticides in the production of hemp.

The Virginia Pesticide Control Act defines “pesticide” as “

- (i) *any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, fungi, bacteria, weeds, other forms*

*of plant or animal life, bacterium, or viruses, except viruses on or in living man or other animals, which the Commissioner [of Agriculture and Consumer Services] shall declare to be a pest; (ii) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant; and (iii) any substance intended to become an active ingredient in any substance defined in clause (i) and (ii).”*

In Virginia, all pesticides, including natural, synthetic and those products approved for organic use, must be registered with VDACS to be legally used. Only those pesticides that are registered with the U.S. Environmental Protection Agency (EPA) or exempt from EPA’s registration process under Section 25(b) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) can be registered in Virginia. Pesticide usage in the production of hemp must comply with label instructions and may require compliance with the federal Worker Protection Standard. If required, the pesticide label will include an “Agricultural Use Requirements” box. For information on how to read a pesticide label, click [here](#).

**It is imperative to read the entire pesticide label prior to determining if the product can be used on hemp.**

### **Hemp That Will Not Be Consumed**

When determining those pesticides that may be used on hemp that will not be consumed by an animal or a human, products must meet the following criteria:

1. The label lists “hemp” as a use site, or the label language is sufficiently broad to include hemp and does not specifically prohibit its use on hemp
  - The following is an example of sufficiently broad label language...e.g. “*for use on crops, **including but not limited to...***”
  - The following is an example of label language that is not sufficiently broad ....e.g.”  
*for all crops contained on this label...*”
2. The pesticide is registered by the EPA or exempted from registration; and
3. The pesticide is registered by VDACS.

Information regarding VDACS’s pesticide product registration process and currently registered pesticides is available [here](#).

## Hemp That Will Be Consumed

When determining those pesticides that may be used on hemp that will be consumed by an animal or a human, products must meet the following criteria:

1. The active ingredient is exempt from the requirements of a pesticide tolerance on all food crops. Information regarding food tolerances for pesticide ingredients may be found [here](#).
2. The label has directions for use on unspecified food crops
  - The following examples meet the criteria since the “Directions for Use” reference use on unspecified food crops...e.g. “*for use on... edible and field crops*”; or “*for use on (greenhouse or field-grown) vegetables, herbs, ornamentals, flowering plants, bedding plants<sup>1</sup>, berries, cereals, legumes, pome and stone fruits, nut trees, tree and forest seedlings, turf and other labeled crops...including...*”; or “*for use on growing crops (outdoors and in greenhouses).*”
  - The following examples do not meet the criteria since the “Directions for Use” reference use on listed food crops...e.g. “*for production agriculture crops listed*” or “*on Listed [Food] Crops.*”
3. The pesticide is registered by the EPA or exempted from registration;
4. The pesticide is registered by VDACS; and
5. The label language is sufficiently broad to include hemp and does not specifically prohibit its use on hemp
  - The following are examples of sufficiently broad label language...“*For use on vegetables, fruits, nuts, melons, outdoor ornamental plants and agronomic crops...*” or “*may be used....miscellaneous food and non-food crops*”.
  - The following is an example of label language which is not sufficiently broad...e.g. “*WHERE TO USE IT: Roses, Flowers, Shade Trees, Foliage Plants, Ornamentals, Beans, Peas, Broccoli, Cabbage, Cauliflower, Collards, Kale,*

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<sup>1</sup> “Bedding plants” refer to unspecified food crops or unspecified herbs that may be grown as bedding plants (outdoors and enclosed).

*Peppers, Strawberries, Apples, Pears, Citrus, Potatoes, Cucumbers, Squash, Grapes, Blackberries, Blueberries, Raspberries, Loganberries, Currants, Melons, and Tomatoes."*

It is expected that in the future, EPA will undertake activities to register pesticides that specifically include use on hemp grown for consumption.

### **Additional information**

Questions regarding the regulation of pesticides may be directed to VDACS's Office of Pesticide Services (OPS). OPS is the regulatory unit that administers the provisions of the Virginia Pesticide Control Act and related regulations. OPS conducts inspections and investigations to ensure the proper use of pesticides. A complete copy of Virginia's laws and regulations governing the use of pesticides is available [here](#). Contact information for OPS is available [here](#).

Questions regarding the Virginia Industrial Hemp Program as well as the Industrial Hemp Grower, Dealer, and Processor Registration Programs may be directed to [Jasmine.Harwell@vdacs.virginia.gov](mailto:Jasmine.Harwell@vdacs.virginia.gov). More information regarding the Virginia Industrial Hemp Program is available on [VDACS's hemp webpage](#).

Questions regarding the production of hemp should be directed to Virginia Cooperative Extension. A listing of local offices is available at <https://ext.vt.edu/offices.html>.