



May 8, 2019

Richard P. Keigwin, Director
Office of Pesticide Programs
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N. W.
Mail Code: 7508P
Washington, DC 20460

Dear Mr. Keigwin,

On behalf of the State FIFRA Issues Research and Evaluation Group (SFIREG), a permanent committee of the Association of American Pesticide Control Officials (AAPCO), clarification and support are requested for options available to State pesticide regulatory officials who are seeking federal registration of pesticides labeled for use on Cannabis, specifically, marijuana.

While a growing number of states having approved industrial hemp, along with the medicinal and/or recreational use of marijuana, state pesticide regulatory agencies are faced with issues related to the legal use of pesticides on Cannabis. In states that have legalized the propagation and use of marijuana, there exists a variety of approaches to the issue of pesticide use on the crop. The state lead pesticide agencies in these states have expressed a strong desire to establish a process that ensures that any pesticides that are used on Cannabis meet the federal regulatory requirements for registration thereby providing for the protection of human health and the environment. It is anticipated that the changes to the 2018 Farm Bill will increase the need for a consistent regulatory policy until the EPA registers pesticides for use on hemp, which likely includes the establishment of tolerances.

In 2015, EPA strongly encouraged states to pursue Special Local Need (SLN) registrations under Section 24(c) as a pathway to permit the legal use of a pesticide on marijuana. Using a SLN, a federally registered pesticide is approved for use(s) similar to the manner in which the Section 3 registered pesticide would be used. Using the guidance established, states submitted SLN labels for consideration. In 2017, the U.S. EPA disallowed the 24c applications stating that similar use patterns do not exist because of the general illegality of Cannabis cultivation. In the absence of

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this process, states are seemingly left without options, as there are no currently registered pesticides for use on marijuana nor are there any tolerances established for marijuana or hemp.

SFIREG is again seeking clarification from EPA on the options available to states for the federal registration of pesticides on marijuana, including medicinal and recreational, and industrial hemp uses. In addition, with industrial hemp no longer included in the definition of marijuana under the 2018 Farm Bill, how does EPA intend to proceed with the registration of pesticides for use on industrial hemp and could these registrations be expanded to include marijuana through a Special Local Need registration?

Respectfully submitted,

A handwritten signature in blue ink that reads "Liza Fleeson Trossbach". The signature is written in a cursive, flowing style.

Liza Fleeson Trossbach, Chair
SFIREG

cc: AAPCO Board of Directors
Full SFIREG