

New Requirements for Paraquat Containing Products

Frequently Asked Questions

Updated September 16, 2021 – to include July 2021 ID and added question #20

On December 15, 2016, the US EPA finalized safety measures to mitigate the risks of human illness or injury caused by ingested, dermal or eye exposure of the herbicide paraquat. The new safety measures include:

- changes to labels and other supplemental warning materials emphasizing paraquat toxicity;
- required training (every three years) for paraquat users;
- restricting the use of all paraquat products to certified applicators only and;
- closed system packaging for all non-bulk (less than 120 gallons) end use product containers of paraquat.

In July 2021, US EPA released the paraquat interim registration review decision (ID), Case Number 026. The new mitigation measures include the following:

- Requiring limitations on aerial applications and requiring residential buffers.
- Prohibiting pressurized handgun and backpack sprayer applications.
- Requiring enclosed cabs or respirators for groundboom applications.
- Increasing the Restricted Entry Interval (REI) for several crops.

Additional information regarding paraquat can also be found at [Paraquat Dichloride | US EPA](#)

The following frequently asked questions (FAQs) and answers have been developed to address many of the issues that have been raised regarding legal use of paraquat containing products. These FAQs (and updates) will be posted on the [Association of American Pesticide Control Officials](#) website (TBD).

1. When will product with the new label be available? *

Production of paraquat containing products with the new labels began in the fall of 2019. However, US EPA did not require relabeling of old product already in the channels of trade, so some end users may not see product with the new labels until later in 2020 or 2021. It is recommended that you familiarize yourself with the new label requirements and take the paraquat safety training as soon as possible.

**As a result of the July 2021 ID, additional label changes are required, registrants have 60 days from the publication of the ID, which was published on August 2, 2021 to submit amended labels to EPA, then EPA typically approves them within a year. The newer labels as a result of the ID may not circulate into the channels of trade until later 2022 or 2023.*

2. If I already have or purchase a product with an old label, am I required to follow the new label requirements?

No, you are required to follow the instructions on the label you have in your possession. However, as was written in response to question one, it is recommended that you familiarize yourself with the new label requirements, complete the paraquat safety training as soon as possible and obtain the proper pesticide applicator certification, if needed.

3. Can I purchase the older labeled product as long as it is available for distribution?

Yes. Registrants have implementation timelines for all phases of the mitigations however, persons other than the registrant may continue to sell and/or use existing stocks of products with the previously approved labeling until such stocks are exhausted, provided that such use is consistent with the terms of the previously approved labeling.

4. If a grower is in possession of old and new paraquat containing products and the products are comingled/tank mixed. Which label requirements would be required for the application of the material?

ALL of the product, old and new, must be applied per the NEW guidelines.

5. What type of Closed-Transfer Systems will be allowed when transferring paraquat from its original container into application equipment or mix-load systems?

The closed system packaging for paraquat products must be engineered so that paraquat can only be removed from the container using closed system technology meeting the following standards:

- the closed system must connect to the container in a way that the closed system is the only feasible way to remove paraquat from the container without destroying the container; therefore, a screw cap for the pourable closure on a typical pesticide container is not sufficient; and
- the closed system must remove the paraquat from its original container and transfer the paraquat to the application equipment through connecting hoses, pipes and couplings that are sufficiently tight to prevent exposure of the mixer or loader to the paraquat (except for the negligible escape associated with normal operation of the system).

6. Can closed transfer systems be engineered by a grower, if so, do they need to be approved by EPA?

The grower engineered closed transfer system for paraquat products would not need to be approved by EPA but must be engineered so that paraquat can only be removed from the container using closed system technology meeting the following standards:

- the closed system must connect to the container in a way that the closed system is the only feasible way to remove paraquat from the container without destroying the container; therefore, a screw cap for the pourable closure on a typical pesticide container is not sufficient; and
- the closed system must remove the paraquat from its original container and transfer the paraquat to the application equipment through connecting hoses, pipes and couplings that are sufficiently tight to prevent exposure of the mixer or loader to the paraquat (except for the negligible escape associated with normal operation of the system).

7. Is the use of hand-held and backpacks still allowed? *

This will depend on the label of the product. With the 2019 label the EPA permitted the continued use of handheld and backpack application equipment, as long as it complied with EPA-approved closed system technology (See questions above). Additionally, paraquat products intended for handheld and backpack equipment should contain an indicator dye to aid in early detection of paraquat leaks and spills. **This is only allowed per the 2019 label.**

**Per the July 2021 ID proposed label language for paraquat products includes “Do not apply this product by mechanically pressurized handgun or backpack sprayer. Application by manually pressurized handwand is permitted.” Therefore, the newer label will not allow this.*

8. If I have a container that is damaged or leaking, what are my options to transfer into a secondary container for storage and remaining use of material?

This specific scenario is not addressed by the product’s label directions. If you use paraquat, it is recommended that you contact the registrant and/or the state lead agency responsible for administering and enforcing pesticide laws and regulations to determine any state-specific requirements or other actions you can take to prepare before a spill or leak occurs.

9. Where do I find the paraquat safety training?

Currently the safety training is available online at <https://www.epa.gov/pesticide-worker-safety/paraquat-dichloride-training-certified-applicators>

[This website also has a frequently asked questions about paraquat training](#)

Materials for in-person trainers and training are available through the National Pesticide Safety Education Center <https://npsec.us/paraquat>.

10. Who is required to take the safety training?

Any person who uses paraquat must be a certified applicator and must take the paraquat safety training. "Use" includes mixing and loading; application; transportation or storage of residue-contaminated or opened paraquat containers; equipment cleaning; repairing and maintaining contaminated equipment; and disposal of excess product, spray mix, equipment wash waters, containers and container rinsate, and other paraquat-containing materials. Any Handler conducting a Handler Task as defined by the federal Worker Protection Standard must also take the safety training.

11. Is paraquat safety training a one-time event, or do I need training every year?

Paraquat safety training is required every **three** years. Failure to take the training is a violation of the label use directions.

12. How will certified applicators show proof that they have completed the training?

Once the certified applicator successfully completes the on-line training, a certificate will be automatically generated. Per the new labeling, applicators are required to retain certificates of training completion. In addition, paraquat registrants have arranged for the National Pesticide Safety Education Center (NPSEC) to retain certification records should the user, state regulators, or enforcement personnel need access.

13. Is it necessary to show proof of completed paraquat training to purchase paraquat?

No, proof of completed training is NOT necessary to purchase paraquat. However, since paraquat is a restricted use pesticide, many states require a valid pesticide applicator certificate/license or other proof of current certification and licensing to be made available to the paraquat dealer/retailer. It is recommended that you contact the state lead agency responsible for administering and enforcing pesticide laws and regulations in your state to determine the requirements for the purchase/sale of restricted use products.

14. Will investigators/inspectors check my application and training records?

Yes, many state lead agencies have the authority to inspect your restricted use pesticide purchase, application and training records. The practice of checking these records is normally associated with a routine use inspection or a pesticide misuse investigation.

15. Which operations besides the application of paraquat will require that the user be a certified applicator and have completed paraquat safety training?

- Calibrating, repairing, or maintaining contaminated equipment
- Mixing and/or loading the paraquat product
- Handling or storing opened/unrinsed containers
- Other handler tasks as defined by the Worker Protection Standard (WPS)

- Disposing of excess pesticide, end use dilution, container and sprayer rinsate, including equipment and mini-bulk wash waters

It is recommended that you contact the state lead agency responsible for administering and enforcing pesticide laws and regulations in your state to determine the certification and safety training requirements for operations involving paraquat.

16. Which operations do not require that the user be a certified applicator and complete the paraquat safety training? *

- Moving or transporting unopened containers
- Transporting a “hot load” as long as the driver does not participate in loading/unloading or any “handler” activities
- Unloading bulk from a semi into a bulk tank
- Filling a mini-bulk container

**Per the July 2021 ID; proposed label language for paraquat product includes adding language to the RUP statement that will allow truck drivers who are not certified applicators to transport containers of paraquat that have been opened, provided certain conditions are met.*

*The RUP statement should be updated to say: To be used by certified applicators only – NOT to be used by uncertified persons working under the supervision of a certified applicator, **except that uncertified persons may transport containers as provided under Directions for Use.***

The following is proposed label language that would be under the Directions for Use:

Persons who are not certified applicators may transport containers of paraquat that have been opened, subject to the following conditions:

- *Closures have been applied by a certified applicator to all openings on the paraquat container, including tank cars, so the closures are secured against loosening and prevent any non-negligible release of paraquat from the openings.*
- *Each opening on portable containers containing non-negligible amounts of paraquat must have a tamper evident device applied by a certified applicator, a one-way valve, or both for portable refillable containers used to sell or distribute pesticides.*
- *Containers of paraquat not permanently attached to a motor vehicle must be secured against shifting, including relative motion between packages, within the vehicle.*
- *Truck drivers who are not certified applicators must not transfer paraquat or any formulation containing paraquat into or out of the container or tank car.*

Therefore, the 2021 label would allow uncertified persons to transport containers.

It is recommended that you contact the state lead agency responsible for administering and enforcing pesticide laws and regulations in your state to determine the certification and safety training requirements for operations involving paraquat.

17. Can a non-certified individual use paraquat under the supervision of a certified applicator?

No, the label directions for paraquat-containing products require certification/licensing and safety training of all individuals using these products. Direct supervision that is permitted for some other restricted use products is **not allowed** for paraquat-containing products. See exception in #16.

18. Becoming certified was not possible due to restrictions placed on the certification process because of the COVID-19 pandemic. Did the U.S. EPA or SLAs relax the certification requirement for use of these products during 2020?

No, state lead agencies do not have the authority to relax federal label requirements. In addition, U.S. EPA has indicated that they currently have no plans to revise this label requirement, even temporarily. As with most new regulatory requirements, awareness and compliance assistance will be a focus for many state lead agencies.

19. The new paraquat labels require applicators, mixers, loaders, and handlers to wear specific respirators. Affordable respirators and some other PPE were difficult or impossible to find during this COVID-19 pandemic. Did U.S. EPA or SLA's relax the respirator requirements during 2020?

No, state lead agencies do not have the authority to relax federal label requirements. In addition, U.S. EPA has indicated that they currently have no plans to revise this label requirement, even temporarily. As with most new regulatory requirements, awareness and compliance assistance will be a focus for many state lead agencies. In addition, some of the higher protection respirators, albeit more expensive, may still be available options.

20. Can the required Paraquat Training contain an online medical evaluation?

Background: This is a question from one of the states' growers. If a grower is a certified applicator and uses paraquat on his farm he must have a medical evaluation done and a fit test completed prior to applying the product correct? If this is true, Will there ever be at training that combines both a medical eval and the paraquat refresher? if every 3 years a training is needed to complete can the curriculum also make the online medical evaluation be a part of the training.