



## *State FIFRA Issues Research Evaluation Group*

### Pesticide Operations and Management Working Committee

# **New Requirements for Paraquat-Containing Products**

## **Frequently Asked Questions**

### **Updated XXXXXXX**

On December 15, 2016, the United States Environmental Protection Agency (EPA) finalized safety measures to mitigate the risks of human illness or injury caused by ingested, dermal or eye exposure to the herbicide paraquat. The new safety measures include:

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

On August 2, 2021, EPA released the Paraquat Interim Registration Review Decision (ID), Case Number 0262. The new mitigation measures include:

- Requiring limitations on aerial applications, including a residential buffer.
- 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 by the State FIFRA Issues Research and Evaluation Group (SFIREG) working committee, Pesticide Operations and Management (POM), and reviewed by EPA, 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.



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

The requirements from the 2016 Human Health Mitigation (i.e., enhanced label warning statements, certified applicator restriction, specialized paraquat training, and closed systems) were implemented on labels by December 30, 2020. Per the existing stocks provision, however, retailers are allowed to continue selling, and users are allowed to continue using, products that were already in the channels of trade, until they've been exhausted.

The requirements from the 2021 Interim Registration Review Decision are currently going through the label review process at EPA, which can take up to a year. Once the new labels are stamped by EPA, the next label printing must use that labeling. Manufacturers must submit one copy of the final printed labeling to EPA before releasing their products for shipment with the new labeling. Manufacturers may distribute or sell products under the previously approved labeling for 12 months from the date of the new label being stamped. After 12 months, the product may only be distributed or sold if it bears the new revised labeling. We do not expect that labels bearing the 2021 requirements will circulate in the channels of trade until late 2022 or 2023.

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

You are required to follow the instructions on the label you have in your possession. However, even if you are using a product with an old label, 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 product with an old label if it is available for distribution?**

Yes. While manufacturers are prohibited from selling product with old labeling, 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.



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- 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?**

When mixing products that contain different labels, the more stringent requirements must be followed. In this situation, the applicator would need to follow the newer label requirements, as they are more restrictive than the older requirements.

- 5. What type of closed transfer systems are 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?**

Manufacturers are required to sell their paraquat products in closed system packaging. Therefore, the products purchased by growers will already meet the closed system standards. No further engineering is needed on the part of the grower.

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

No. Closed systems for hand-held and backpack sprayers have not yet been developed and, once the 2021 ID requirements are on labels, these application methods will be prohibited altogether.



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

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 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 paraquat safety training?**

Any person who applies paraquat must be a certified applicator and must take the paraquat safety training. However, EPA encourages all persons who handle paraquat to take the training. This includes activities like transporting, storing, or disposing of paraquat-containing product, and cleaning or repairing equipment.

#### **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 online 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.



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#### **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. [AAPCO State Lead Agencies - Points of Contact](#)

#### **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/tasks with paraquat may ONLY be performed by a certified applicator?**

- Mixing, loading, and/or applying paraquat
- Calibrating, repairing, or maintaining contaminated equipment
- Handling or storing opened/unrinsed containers
- Moving or transporting opened 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. a. Which operations/tasks with paraquat may be performed by a person who is NOT a certified applicator?**

- Handling or storing unopened containers
- Moving or transporting unopened containers

#### **b. Which additional operations/tasks with paraquat may be performed by a person who is NOT a certified applicator, once the 2021 ID mitigation is on labels\*?**



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- Moving or transporting “opened” containers
- Transporting a “hot load” as long as the driver does not participate in loading/unloading or any “handler” activities

***\*It's important to note that these labels will not appear in the channels of trade until 2022 or 2023.***

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. [AAPCO State Lead Agencies - Points of Contact](#)

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

No, the label directions for paraquat-containing products only permit use of paraquat by certified applicators. Individuals working under the supervision of certified applicators but who are not certified applicators themselves are prohibited from using paraquat. Direct supervision that is permitted for some other restricted use products is **not permitted** for paraquat-containing products. See exception in #16.

#### **18. Are custom blenders subject to the requirements of EPA's RUP applicator certification regulations?**

No, custom blenders are not subject to the requirements of EPA's RUP applicator certification regulations.

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. [AAPCO State Lead Agencies - Points of Contact](#)

Custom Blending-is the service of mixing pesticides to a customer's specifications, usually a pesticide(s)-fertilizer(s), pesticide-pesticide, or a pesticide-animal feed mixture, when:

- (1) The blend is prepared to the order of the customer and is not held in inventory by the blender;
- (2) The blend is to be used on the customer's property (including leased or rented property);
- (3) The pesticide(s) used in the blend bears end-use labeling directions which do not prohibit use of the product in such a blend;
- (4) The blend is prepared from registered pesticides; and
- (5) The blend is delivered to the end-user along with a copy of the end-use labeling of



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each pesticide used in the blend and a statement specifying the composition of the mixture.

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