

# CANNABIS

## LEGAL PESTICIDE USE

### California Cannabis Cultivation

Protecting workers, the public,  
and the environment.



**Protecting workers, the public, and the environment from adverse effects of pesticide use in cannabis cultivation is critical to the mission of the California Department of Pesticide Regulation (DPR).**

DPR and the County Agricultural Commissioners (CACs) enforce the use and sale of pesticides under Divisions 6 and 7 of the California Food and Agricultural Code (FAC), and Title 3 of the California Code of Regulations (CCR). These laws and regulations apply to all pesticide use and sales; cannabis is no exception.

A pesticide product must be registered for its use and labels are required to include a warning statement, precautionary statements for protecting human and environmental health, storage and disposal statements, and directions for use. By law, all pesticide users must follow these statements.

When using pesticide products in all agricultural crops, including cannabis cultivation, applicators must not use a rate that is higher than the rates listed on the label and follow the agricultural use requirements including method of application, restricted entry interval, personal protective equipment, and pre-harvest interval.

Cannabis cultivators who are licensed by the California Department of Food and Agriculture (CDFA) are required to comply with pesticide laws and regulations as enforced by DPR and the CAC's.

**Always read the label prior to using any pesticide.**

### PRODUCTS THAT CAN LEGALLY BE APPLIED TO CANNABIS IN CALIFORNIA

A pesticide product can legally be applied to cannabis under state law if the active ingredients found in the product are:

- (1) Exempt from residue tolerance requirements and from registration

**OR**

- (2) Exempt from residue tolerance requirements and use of the product would not be legally considered a use in conflict with the registered label.

## **What does “exempt from residue tolerance” mean?**

A tolerance is the amount of pesticide residue allowed to remain in or on a treated food crop with “reasonable certainty of no harm.” Residue tolerance requirements are set by U.S. EPA for each pesticide on each food crop, including cannabis. **Note: the U.S. EPA has not set any tolerances for pesticides used on cannabis because it is not recognized as a legal crop at this time.**

Some pesticides are exempted from the requirement to have a tolerance. U.S. EPA may grant exemptions in cases where the exemption is found to be safe following scientific data evaluation.

To determine if a pesticide is exempt from tolerance, see the Code of Federal Regulations [Click here to visit the Code of Federal Regulations webpage](#) or contact DPR for assistance.

## **Which pesticide products are exempt from registration?**

Certain pesticide products are exempt from pesticide registration requirements<sup>3</sup>. In other words, the product does not have to be licensed by DPR before it can be sold, distributed, or used in California. To determine if a product is exempt from registration, contact your local county agricultural commissioner [Click here to visit the CDFA County Agricultural Commissioner Offices Contact Directory](#).

Although certain pesticide products are exempt from registration, users must still comply with pesticide laws and regulations.

## **What is “use in conflict with the label”?**

Under state law, it is a violation to use a pesticide product in conflict with the product labeling. This means you must follow all use directions on the label, such as specific crop

and use site information the product can be applied to, personal protection equipment (PPE), application rates, method of application, time of application restrictions, etc.

In certain cases, a product can legally be applied to crops or sites not specified on the label if the label language is broad enough. Such labels are uncommon and determining this can be difficult. An example of broad enough language that may be found on exempt pesticide products are: “for use on agricultural use sites including, but not limited to the following” and “...other miscellaneous crops including but not limited to.”

## **Can products labeled for use on hemp be used on cannabis?**

Hemp and cannabis are considered separate crops. Products labeled for use on hemp cannot be used on cannabis unless all the criteria outlined in this document can be met.

## **Who should I contact to determine if use of a product on cannabis would be considered a use in conflict?**

DPR recommends stakeholders consult with their local CAC regarding use in conflict or other labeling questions. CAC contact information is provided online at [Link to CDFA County Agricultural Commissioner Offices Contact Directory](#).

For more information:

<https://www.cdpr.ca.gov/docs/cannabis/index.htm>