Office of
INDIANA STATE CHEMIST AND SEED COMMISSIONER

Protecting Indiana's Agriculture and Environment - Feed, Fertilizer, Hemp, Pesticide and Seed

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On March 2, 2021, the Indiana Pesticide Review Board (IPRB) voted unanimously to classify all Restricted Use Pesticides (RUP) containing more than 6.5% dicamba as Highly Volatile Herbicides (HVH). This HVH determination was made to allow for the establishment of a June 20th application cutoff date in Indiana. On April 3, 2024, the IPRB voted to recommend that June 20th application cutoff date be eliminated and replaced by a requirement that all dicamba HVH application tank mixes include a volatility reduction agent/pH buffering adjuvant. On January 7, 2025, the IPRB voted to modify the permit to exclude the use of VRAs during October 1st – March 1st. The following frequently asked questions (FAQs) are intended to address the updated action being taken and several resulting implementation issues.

Dicamba RUP and HVH Frequently Asked Questions

1. Which dicamba herbicides have been classified as RUPs and HVH in Indiana?

All herbicides, labeled for agricultural use and containing more than 6.5% dicamba active ingredient are classified as an RUP and HVH in Indiana. A list of currently registered dicamba RUPs is available at https://oisc.purdue.edu/pesticide/pdf/rup_listing.pdf. This list does not include low level dicamba herbicides that are routinely labeled for use on turf and in lawn and landscape settings

2. What is a Highly Volatile Herbicide (HVH)?

HVH is defined in state law as any herbicide capable of emitting vapors that may cause serious injury to desired plants by reason of movement of the vapors from the area of application of the herbicide to areas inhabited by the desired plants. The IPRB has determined that dicamba herbicides used in agriculture during periods when many non-target plants and crops are actively growing and particularly sensitive to low levels of dicamba exposure meet that definition.

3. What legal requirements are created by the HVH determination for these dicamba products?

Indiana pesticide law prohibits the sale, distribution, or use of HVHs without written permission from the Office of Indiana State Chemist (OISC). OISC has implemented the written permission requirement through a general permitting process. OISC will not be issuing individual written notices of permission or individual permits. Instead, a General Permit has been issued by OISC to cover all HVH sale and distribution and HVH use. As explained below, all persons eligible for sale, distribution, or use of the HVHs will automatically be covered by the General Permit.

4. Who is covered by the "Dicamba HVH General Permit for Sale or Distribution"?

All Restricted Use Pesticide (RUP) dealers registered and permitted by OISC are automatically covered by the General Permit and are eligible to sell or distribute the HVHs. No additional actions or filings are required. As with all RUPs, registered dealers may sell or distribute only to other registered RUP dealers or to certified and licensed Category 1 (agricultural) commercial applicators or certified and licensed private applicators (farmers). And again, as with all RUPs, records of the sale or distribution must be maintained by the registered dealer.

5. Are there any restrictions under the General Permit on when HVHs can be sold or distributed?

No, HVHs can be sold or distributed at any time, if the product is registered with OISC annually by the registrant or manufacturer. A list of currently registered RUPs is available at: https://oisc.purdue.edu/pesticide/pdf/rup_listing.pdf

6. Who is covered by the Dicamba HVH General Permit for Application?

All certified and licensed Category 1 (agricultural) commercial applicators and all certified and licensed private applicators (farmers) are automatically covered by the General Permit and are eligible to use the HVHs according to label directions. No additional actions or filings are required. As with all RUPs, certified and licensed applicators must comply with all label directions for use and must keep records for each application.

7. What are the special restrictions for dicamba herbicide use under the HVH General Permit?

Effective April 5, 2024, the previous dicamba HVH application cutoff date of June 20th has been eliminated and has been replaced by a requirement that all dicamba HVH tank mixes include a volatility reduction agent**/**pH buffering adjuvant. There are a variety of suitable volatility reduction agents and pH-buffering adjuvants for dicamba herbicides.

On January 7, 2025, the requirement of VRAs was modified to exclude the use of VRAs during the months of October 1st – March 1st.

It should be noted that any label requirements for a product must also be followed. So, if a product label identifies a specific cutoff date, that date must still be observed.

8. What is a volatility reduction agent?

A volatility reduction agent (VRA) is a pH-buffering agent (or adjuvant) that changes the pH level of the spray solution.

There are some pH-buffering agents on the market that decrease the pH level. These buffering agents have the potential to make dicamba products more volatile. Use of a buffering agent that lowers the pH would result in more off-target movement. A pH-buffering agent that lowers the pH level is not considered an acceptable VRA to use in the spray solution.

Acceptable VRAs will either maintain or increase the spray solution pH. These products will reduce the potential for volatilization. You can find more information about EPA's view of VRAs on the Dicamba 2020 Registration Decision FAQ EPA page: https://www.epa.gov/ingredients-used-pesticide-products/dicamba-2020-registration-decision-frequently-asked-questions.

9. The General Permit states that all certified and licensed agricultural applicators are covered by the permit to apply HVHs. Does that allow for use under the supervision of a certified and licensed applicator in accordance with state supervision rules?

It is important to follow the requirements outlined on the product's label. If a product is a federal RUP and only allows for the use of the product by fully certified applicators, under the supervision would not be permitted. However, for the state RUP dicamba HVHs, the law and the general permit still allow legal use of those products by non-certified applicators being supervised by certified and licensed applicators.

10. Are the over-the-top dicamba herbicides previously labeled for use on soybeans (i.e. Engenia, Tavium, and Xtendimax herbicides) still available for purchase and use in 2025?

No. The federal and state registrations for those products were vacated and cancelled in 2024. Although existing stocks of those products in the hands of dealers and applicators were allowed to be used up to and including June 12, 2024, new registrations for use of these three products in 2025 are currently still pending at U.S. EPA.

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