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# HEMP REGULATIONS & PESTICIDE USE



OFFICE OF INDIANA STATE CHEMIST

# OVERVIEW

## Hemp Regulations

- Introduction – Background

## Pesticide Use on Hemp

- Federal - EPA
- Criteria - States



# INTRO - BACKGROUND

# FEDERAL

## 2014 Farm Bill

- The 2014 federal Farm Bill allowed for production of industrial hemp if:
  - the industrial hemp was cultivated for purposes of research; and
  - it was allowed under state law.

# FEDERAL

## 2018 Farm Bill

- Defines Industrial Hemp
- Removed Industrial Hemp from Schedule I status
- State Departments are charged with creating a plan to monitor & regulate

# INDIANA

## 2019: Research plots

- 140 licenses
- Outdoor Grow Sites: 5,000 proposed acres
- Indoor Grow Sites: 515,000 proposed square feet

# INDIANA

## 2020: Proposed Rule 15-15-13

- Will require growers, handlers, and processors to be licensed
- OISC must monitor production to insure that hemp plants do not contain more than 0.3% THC

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# PESTICIDE USE ON HEMP

& CRITERIA FOR INDIANA STATE LIST OF ACCEPTABLE PRODUCTS



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# FEDERAL

## Pesticide Use on Hemp

- Some pesticide labels do list industrial hemp
- Currently, there are no established tolerances



# CRITERIA

# RECOMMENDATION FROM EPA

EPA response to SLN Request (Colorado, 2015)

A federally registered pesticide would be regarded as having similar use patterns if the product is approved for use:

- On food
- On tobacco
- By the same type of application method
- On crops with characteristics similar to cannabis
- In the same kind of structure or site

# CONCERNS

## AAPCO

- Hemp should be treated and regulated as a food crop
- Pesticide use and extraction methods for concentrates (CBD oil)

## The Cannabis Horticultural Association

- How long pesticides persist on the plants and what classes of pesticides are considered safe for use

# OTHER STATE CRITERIA

- Must be registered in state
- Active Ingredients
  - Exempt from tolerance
  - Passed pyrolysis study (current use on tobacco)
- Label Language
  - Unspecified food crops or ambiguous label language
  - Herb crops listed on label
  - Unspecified oilseed crops
  - Use on crops intended for human consumption
  - Specific use sites – indoor/greenhouse/field
  - Agricultural use label, intended for commercial sale

# PROPOSED INDIANA CRITERIA

## All products

- Products are registered in Indiana
- Active Ingredients are exempt from tolerance
- Label allows for use at the intended site of application
  - (greenhouse, field)
- Label not specific to homeowner use

## Section 3, EPA Registered Pesticide

- Active Ingredients used on tobacco (pyrolysis study)

## 25(b) Minimum Risk Pesticide

- Inert ingredients are exempt from tolerance



# TIMELINE

# ESTIMATED TIMELINE

- August 7, 2019
  - Present preliminary criteria to Indiana Pesticide Review Board
  - Review of pesticide labels
- January 2020
  - Finalize list based on 2020 renewals





# QUESTIONS

# CONTACT INFORMATION

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