

# New Paraquat Requirements

## Frequently Asked Questions

**Updated April 2, 2020**

On December 15, 2016, the US EPA finalized safety measures to stop poisonings 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.

The following frequently asked questions (FAQs) and answers have been developed by the Office of Indiana State Chemist (OISC) to address many of the issues that have been raised regarding legal use of paraquat containing products in Indiana. Updates to these FAQs are posted at <https://www.oisc.purdue.edu/pesticide/paraquat.html>.

### 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 end users may not see product with the new labels in 2020. The Office of Indiana State Chemist (OISC) highly recommends you familiarize yourself with the new label requirements and take the paraquat safety training as soon as possible.

### 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 stated in the answer to question one, OISC highly recommends that you familiarize yourself with the new label requirements and complete the paraquat safety training as soon as possible.

### 3. Is paraquat safety training available from OISC or Purdue Extension?

No, currently the safety training is only available online at <https://www.epa.gov/pesticide-worker-safety/paraquat-dichloride-training-certified-applicators>.

While materials for in-person training are available through the National Pesticide Safety Education Center <https://npsec.us/paraquat>, neither OISC nor Purdue CES is currently set-up to provide such face-to-face training.

#### 4. Who is required to take the safety training?

Any person who uses paraquat must be a certified applicator and must also take the paraquat safety training. “Use” includes mixing and loading; application; transportation or storage of opened paraquat containers, equipment cleaning, and disposal of excess product, spray mix, equipment wash waters, containers, and other paraquat-containing materials.

#### 5. 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.

#### 6. 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.

#### 7. 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, a valid pesticide applicator license or other proof of current certification and licensing must be made available to the paraquat dealer/retailer.

#### 8. Will OISC investigators check my application and training records?

Yes, OISC has the authority, under the Indiana pesticide law to inspect your Restricted Use Pesticide (RUP) purchase, application and training records. The practice of checking these records is normally associated with a misuse investigation, but OISC may also do some routine compliance inspection or application record checks.

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

- Mixing product
- Filling and working on spray equipment
- Moving or transporting opened containers
- Disposing of excess pesticide including equipment and mini-bulk wash waters

10. Which operations do not require that the operator 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
- Unloading bulk from a semi into a bulk tank
- Filling a mini-bulk container

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

No, the label directions for these paraquat products require certification, licensing, and safety training of all individuals using these products. Direct supervision that is permitted for some other RUPs is not allowed for these products.

12. Becoming certified is currently not possible due to restrictions placed on the certification process because of the COVID-19 coronavirus. Is U.S. EPA or OISC relaxing the certification requirement for use of these products during 2020?

No, OISC does 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. During 2020, OISC will be enforcing this requirement as part of for-cause misuse investigations but will not be targeting paraquat label compliance as a routine inspection priority. As with most new regulatory requirements, awareness and compliance assistance will be our focus.

13. The new paraquat labels require applicators, mixers, loaders, and handlers to wear specific respirators. Affordable respirators and some other PPE have been difficult or impossible to find during this COVID-19 crisis. Is U.S. EPA or OISC relaxing the respirator requirements during 2020?

No, OISC does 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. During 2020, OISC will be enforcing this requirement as part of for-cause misuse investigations but will not be targeting paraquat label compliance as a routine inspection priority. As with most new regulatory requirements, awareness and compliance assistance will be our focus. In addition, some of the higher protection respirators, albeit more expensive, may still be available options.