Update on EPA's Pesticide Program Activities

20th Annual Pesticide Stewardship Conference

February 4-6, 2020

Office of Pesticide Programs - Hemp

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Good morning. I'm pleased to be here with you today at the Southeast Regional Fruit and Vegetable Conference. Thank you for the invitation.

EPA recognizes the importance of effective collaboration with our co-regulators in achieving our mission of protecting public health and the environment.

We value our strong partnerships, not only for implementing and enforcing regulatory decisions, but also for the collaboration and input you provide as we work through challenging issues.

Whether it's actively engaging with EPA on a number of high priority topics, ranging from pollinator protection, electronic improvements in our registration and labeling processes, examining possible causes of dicamba offsite crop damage to develop a mitigation plan to reduce the potential for off-target movement, or working in a concerted effort to combat the Zika virus, the value of effective stakeholder participation is incalculable in operating a regulatory program such as ours.

EPA Hemp and the 2018 Farm Bill-Enacted

- Removes hemp from Schedule I of the controlled Substances Act; no longer a controlled substance.
- Phases out the 2014 Farm Bill industrial hemp pilot
- Amends the Agricultural Marketing Act of 1946 to allow for regulation of hemp
- Contains provisions to ensure the free flow of hemp in interstate commerce

EPA Hemp Definition

- Hemp is the plant Cannabis sativa L. and any part of that plant, including:
  - the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis.
- Marijuana has THC >0.3 and remains federally illegal

EPA FDA – Regulatory Authority

- FDA held a public hearing in May to seek information to inform how it should regulate cannabis-derived products.
- Sought scientific literature and data on issues such as:
  - Appropriate dosing levels
  - Drug interactions
  - Impacts to special populations
  - Risks of long-term exposure
- Comment period closed July 2, 2019

EPA Hemp Pesticides

- There are no pesticides federally registered by EPA specifically for use on cannabis or marijuana.
- Some pesticide labels do list industrial hemp among listed crops.
- Currently, there are no tolerances established for hemp.
- EPA will use "hemp" on pesticide labels.

EPA Hemp Section 24(c) Request

- The Agency is willing to work with states on requests submitted under FIFRA section 24(c), which permits states to register an additional use of a pesticide that is already registered for another use as a Special Local Need registration if certain conditions are met.
- On July 11, 2019, the Kentucky Department of Agriculture submitted a registration action under FIFRA section 24(c) for the use of the product Heligen on industrial hemp throughout Kentucky to control corn earworm.
- On September 25, 2019, EPA confirmed review of the submitted materials and determined that the Special Local Needs registration is acceptable.

EPA Hemp Registrations

- EPA committed to a timely review of any pesticide registration action for use on hemp.
- By July 2019, EPA had received 10 applications under FIFRA and sought comment via Federal Register notice of receipts.
- In December 2019, EPA approved adding hemp to the use sites of 10 pesticides. Nine of the products are biopesticides, and one is a conventional pesticide.
- As EPA receives additional applications to amend product labels to add use on hemp, the agency will process those applications on an ongoing basis.
- https://www.epa.gov/pesticide-registration/pesticide-products-registered-use-hemp

EPA Hemp Data Requirements

- EPA is collaborating with industry and the Interregional Research Project #4 (IR-4) to identify and generate data needed to support pesticide registrations.
- EPA and IR-4 are also in active discussions on data generation to support establishing tolerances, which are required for hemp used for food.

EPA

Thank You!