



## Kentucky Department of Agriculture

---

# Kentucky Hemp and Pesticides

The following information represents the Kentucky Department of Agriculture's (KDA) guidance for pesticides that may be used for the production of hemp or industrial hemp (as defined by Kentucky Revised Statutes 260.850). This guidance may be updated at any time.

All pesticides used in Kentucky must be registered with KDA. Also, pursuant to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the U.S. Environmental Protection Agency (EPA) regulates most pesticides that are sold and distributed in the United States.

The EPA also evaluates and approves the language that appears on pesticide labels to ensure safe product use. Kentucky Revised Statutes (KRS), state administrative regulations and FIFRA require that all pesticide products be applied in strict accordance with label directions. The "Label is the Law."

Some Minimum Risk Pesticides are labeled for hemp or—while not specifically labeled for hemp—can still be applied to hemp. There are very few pesticides specifically labeled for hemp. Minimum Risk Pesticides (sometimes called 25b pesticides) do not have to be registered with the EPA, but are regulated and registered by KDA. Both state and federal law require that the labels on Minimum Risk Pesticides be followed.

Some Minimum Risk Pesticides are labeled broadly enough that hemp can be covered. This can cause confusion about what products can be used and how. As part of the directions for use, these labels will specify the particular crops and sites to which they can be applied.

A pesticide registered with KDA may be used in accordance with its label directions for the cultivation of hemp in Kentucky under the following conditions:

- a. The label allows for use on unspecified crops and/or plants (such as other crops);
- b. The label allows for use at the intended site of application (such as greenhouse or field);
- c. The label directions do not prohibit use on crops or plants for human consumption;
- d. The licensed hemp grower/pesticide applicator has a pesticide applicator's license; and
- e. Use of the pesticide complies with rules promulgated by KDA governing pesticide use on hemp.

KDA has compiled a list of pesticides that may be used on hemp. Inclusion on this list is not an endorsement of a pesticide company's claim nor a recommendation of a product. This list will be updated as needed and is available at the end of this document.

**Hemp producers are responsible for determining which pesticides can be used and in what manner. KDA encourages growers to work with processors or purchasers on what will be acceptable.**

### **More on Pesticide Use**

#### **Section 25b or Minimum Risk Pesticides:**

Minimum Risk Pesticides are exempt from federal regulation because EPA has determined that their Active Ingredients (AIs) pose little to no risk to human health or the environment. (More on exempted 25b AIs: <https://www.epa.gov/minimum-risk-pesticides>.)

For most hemp growers, a pesticide must also include a product label that allows for its use on crops intended for human consumption. This is to prevent the use of pesticides that although broadly labeled, are not tested or intended for use on food crops.

It is not a violation to use a product if it has:

- Certain, generally-worded descriptions of crops or sites;
- AIs exempt from the requirement of a tolerance—or minimum risk—on all food crops; and
- Label directions for use on unspecified food crops or unspecified oilseed crops.

#### **Section 24c or Special Local Needs:**

Very few pesticides registered for use in Kentucky have Section 24c Special Local Need (SLN) registrations. SLN registrations allow for a label change to federally-registered pesticides approved by the KDA. To qualify for a SLN for hemp:

- The applicant must demonstrate that a SLN exists in Kentucky;
- The federally-registered pesticide must be approved for use on food crops; and
- There must be adequate data to demonstrate that the proposed use of the pesticide on industrial hemp will not lead to unreasonable risk to human health or the environment.

SLN applications require more detailed information. Please visit the EPA web site for more: <https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations>. Frequently asked questions about SLNs can be found here: <https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations#General Policies>.

#### **Section 18 or Pesticide Emergency Exemptions**

Even more rare in Kentucky is a request to the EPA for a Pesticide Emergency Exemption. Emergency exemptions can be requested by state or federal agencies when an emergency condition (e.g., serious pest problem) jeopardizes production of agricultural goods, the environment or human health, but there are inadequate tools (including pesticide registrations) to address the situation. The applicants submit information describing the pest emergency and request permission for a specific unregistered pesticide use. (More here on emergency exemptions: <https://www.epa.gov/pesticide-registration/pesticide-emergency-exemptions>.)

For any questions or more information about Kentucky's hemp licensing program or pesticides for use on industrial hemp, please contact the KDA at 502-573-0282.

## 2020 Pesticide Products Registered for Industrial Hemp in Kentucky

<b>INSECTICIDE PRODUCTS</b>			
<b>1</b>	Brandt Ecotec Plus	<b>14</b>	Agree
<b>2</b>	Bush Doctor Force of Nature Insect Repellant		
<b>3</b>	Essentria All Purpose Insect Concentrate		
<b>4</b>	Essentria IC3		
<b>5</b>	Nature-Cide Outdoor		
<b>6</b>	Nature-Cide All Purpose Concentrate		
<b>7</b>	Organocide Bee Safe Insect Killer		
<b>8</b>	Root Cleaner		
<b>9</b>	SNS-203 Concentrated Natural Pesticide		
<b>10</b>	SNS-209 All Natural Systemic Pest Control		
<b>11</b>	Monterey BT		
<b>12</b>	Heligen		
<b>13</b>	Gemstar		

<b>FUNGICIDE PRODUCTS</b>			
<b>1</b>	Banish	<b>10</b>	Lifeguard
<b>2</b>	Bush Doctor Force of Nature Fungicide		
<b>3</b>	Procidic2		
<b>4</b>	SaferGro Mildew Cure		
<b>5</b>	Vegalab Mildew Control		
<b>6</b>	SNS-244 All Natural RTU Fungicide		
<b>7</b>	SNS-244C All Natural Concentrate Fungicide		
<b>8</b>	Monterey Complete Disease Control		
<b>9</b>	Double Nickel		

<b>MITICIDE PRODUCTS</b>			
<b>1</b>	Bush Doctor Force of Nature Miticide	<b>4</b>	SNS-217 Natural RTU Spider Mite Control
<b>2</b>	Smite	<b>5</b>	SNS-217C All Natural Spider Mite Control
<b>3</b>	Vegalab Spider Mite Control		

<b>INSECTICIDE, MITICIDE, FUNGICIDE PRODUCTS</b>			
<b>1</b>	Eco-1 Fruit & Vegetable Spray Concentrate	<b>7</b>	Organocide Bee Safe 3-in-1 Garden Spray

<b>2</b>	Eco-1 Fruit and Vegetable Spray RTU	<b>8</b>	Purely Green Bio-Pesticide
<b>3</b>	Lost Coast Plant Therapy	<b>9</b>	SaferGro Pest Out
<b>4</b>	Mammoth Bio-Control	<b>10</b>	Sil-Matrix
<b>5</b>	Nuke Em	<b>11</b>	The Amazing Doctor Zymes Eliminator
<b>6</b>	Organocide 3-in-1 Garden Spray		