



TECHNICAL BULLETIN

July 5, 2023

Supersedes April 13, 2022

Agency Approved Active Ingredients for Cultivators

The intent of this technical bulletin is to update the list of Agency approved active ingredients that can be used in the cultivation of marijuana. Rule 6(3) in the Marijuana Operations Rule Set – R 420.206 (3) states that the agency shall publish a list of approved chemical residue active ingredients for cultivators to use in the cultivation and production of marijuana plants and marijuana products to be sold or transferred in accordance with the acts or these rules.

Use of banned chemicals will be referred to the Cannabis Regulatory Agency (CRA) Field Operations and/or Operations Support Section for investigation and inspection. This may result in disciplinary sanctions, nonrenewal of a license; administrative holds; and/or orders to cease operations. The CRA may issue future lists that supersede the information contained in this bulletin.

The Natural Resources and Environmental Protection Act, 1994 PA 451, Part 83 et seq. and Michigan Department of Agriculture & Rural Development (MDARD) regulations apply to all pesticide use; marijuana is no exception. Specifically:

- Any pesticide or pest control companies contracted or used by licensed marijuana cultivators to apply pesticides, shall obtain a commercial applicator license through MDARD.
- Pesticide applicators shall fully adhere to the product label requirements. This includes but is not limited to application rates, re-entry intervals (REI), pre-harvest intervals (PHI) and use of personal protection equipment (PPE) when using pesticide products in marijuana cultivation.
- Pesticide applicators shall refer to the list of MDARD approved pesticides for use on marijuana found [here](#).
- To have a product evaluated, requestors must include a copy of product label and the completed evaluation form. The evaluation form is found [here](#).
- MDARD pesticide info regarding cannabis and pesticide use: The Worker Protection Standard (WPS). WPS is a federal regulation intended to reduce the risks of illness or injury from pesticide exposure in the production of an agriculture commodity. In Michigan, cannabis is considered an agricultural commodity. When the WPS applies, agricultural employers are required to provide safety education and protections to workers, handlers, and other persons onsite. This may include but is not limited to:

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- Training for workers and handlers
- Decontamination stations
- PPE
- Pesticide application information
- Emergency medical transportation
- Posting treated areas
- Hazard communication

WPS is applicable when the pesticide product labeling contains an “Agricultural-Use Requirements” box, and the product is used at an agricultural establishment to produce an agricultural commodity. The Pesticide Educational Resource Collaborative is a resource for compliance assistance materials, <https://pesticideresources.org/>. The website can assist in determining if WPS is applicable to your establishment. MDARD currently has an informational one pager on EPA WPS [here](#).

Certification

Owners and employees of private farms growing an agricultural commodity are exempt from certification if they are only applying general use products. Persons who apply Restricted Use Pesticides (RUPs) for an agricultural purpose are required to obtain applicator certification or be supervised by a certified applicator.

Certification is obtained by studying certification training manuals and taking exam(s). More information about pesticide applicator certification can be found at www.michigan.gov/pestcert. Commercial pesticide applicators applying pesticides for hire may be required to obtain a pesticide applicator business license (PABL). More information about PABL requirements can be found at www.michigan.gov/mdardpabl.

Storage & Disposal

Pesticides need to be handled, stored, displayed, or transported in a way that will not endanger humans and the environment. Pesticides should be stored separately from any PPE and away from any drains leading outside. Placing pesticide containers in plastic totes provides a secondary layer of containment in case of an accidental spill or container leak.

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Any person who mixes, loads, or otherwise uses pesticides shall have immediate access to a spill kit. Spill kits do not require specific materials but need to be able to contain liquid or granular materials depending on the pesticides used at the facility. A spill kit may include absorbent snakes, pillows, sheets, powder, or kitty litter for liquid spills and a broom, shovel, or dustpan for granular spills.

Before disposing of any pesticide containers, read the disposal directions on the pesticide product label. Triple rinse the container and collect any rinsate (wash water). Puncture the pesticide container and dispose of the container per label directions.

Labels

Applicators are responsible for following all the directions for use on a pesticide label. Label directions include mixing instructions, application rates, sites where the product can be applied, method(s) of application, PPE, and the Worker Protection Standard. Applicators handling or applying pesticides must wear all PPE required by the pesticide label, such as protective eyewear, respirators, and chemical aprons. Failure to comply with label directions is a violation of state and federal law.

The pesticide label's directions describe how the product can legally be used as well as use restrictions of the product. This includes:

- The site(s) where the product can be used
- The pest(s) that the product can be used to control
- Application methods that are required or allowed
- Rates of application and annual maximum limits
- Frequency of applications
- Use restrictions
- REI
- PHI

It is the pesticide applicator's legal responsibility to follow all directions on the pesticide label.

Repackaging

Pesticides offered for sale in Michigan must be in the registrant's or manufacturer's unbroken immediate container and have a label conforming to labeling requirements. Under The Federal

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Insecticide, Fungicide, and Rodenticide Act (FIFRA) the production of a pesticide needs to occur in a registered pesticide producing establishment. Repackaging is considered pesticide production. Any company producing or repackaging pesticides not considered to be minimum risk must obtain a U.S. EPA pesticide establishment number. Additional information can be found on EPA's [website](#).

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