



Office of
INDIANA STATE CHEMIST AND SEED COMMISSIONER

Protecting Indiana's Agriculture and Environment - Feed, Fertilizer, Pesticide and Seed

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Legal Use of Pesticides in Hemp Production in Indiana

IMPORTANT: The following is provided as legal guidance for use of pesticides on hemp in Indiana only. Reference to any pesticide product does not indicate acceptance or approval of those products by the Office of the Indiana State Chemist (OISC) as safe or effective in controlling pests in the production of hemp.

All pesticide products that are produced, distributed, sold, displayed, or offered for sale within Indiana, must be registered in the state of Indiana (IC 15-16-4-61).

1. Are there any pesticides legal for use in hemp crops in Indiana?

There are a few Sec. 3¹, EPA Registered, pesticide products labeled for legal use in hemp crops, but not many. The U.S. EPA is working to review, accept and amend product labels to include the use of hemp. As the agency processes those applications, they will update the list of Sec. 3, federally regulated pesticide products that are acceptable for use on hemp. The list of Sec. 3 products with hemp on the label can be found at:

<https://www.epa.gov/pesticide-registration/pesticide-products-registered-use-hemp>

OISC is working to provide growers with additional pesticides through the use of Sec. 24(c)² Special Local Need registrations.

In addition to the Sec. 3 and Sec. 24(c) products, OISC has identified a few Sec. 25(b)³ exempted pesticide products that can be used legally on hemp. At this time, the majority of the Sec. 25(b) state pesticide products have not been specifically evaluated for safety or efficacy in hemp production.

A list of Indiana state-registered pesticides that may be legally used on hemp is included within this document and can be found at:

https://www.oisc.purdue.edu/pesticide/pdf/pest_hemp_product_list.pdf

2. Does Indiana pesticide law also exempt Sec. 25(b) products from state regulation?

No, all pesticide products sold, distributed or used in Indiana must be registered by the Office of Indiana State Chemist (OISC). State law does not exempt Sec. 25(b) products from state registration or the requirement to use the product in a manner consistent with the pesticide product labeling.

Pesticide Product Classifications:

¹ Sec. 3 Pesticide Product: Federal pesticide law requires that all pesticide products sold or distributed in the U.S. must be registered with U.S. EPA under FIFRA Sec. 3.

² Sec. 24(c) Registration: Provide the additional use of a Sec. 3 products to a crop that is not listed on the EPA accepted Sec. 3 master label. Grower must have the 24(c) on hand at the time of application.

³ Sec. 25(b) Pesticide Product: There is an exception for products that have been exempted from regulation under FIFRA Sec. 25(b). EPA considers these products to be minimum risk pesticides. These products usually contain a mixture of essential oils and other active ingredients that, per EPA, are of minimal health and safety concern. There are established criteria to exempt these products from federal regulation <https://www.epa.gov/minimum-risk-pesticides>. Therefore, federal pesticide law does not apply to distribution or use of these products.

3. How do I know if a pesticide product is registered and legal for purchase and use in Indiana?

You can search for currently state-registered products at

<https://www.inplants.oisc.purdue.edu/USAPlantsIN/ProductRegFSA/BrandSearch.aspx> .

Tips for product searching include:

- Program type is PESTICIDE REGISTRANTS
- Select the current REGISTRATION YEAR
- Use an asterisk if you do not know the full name of the company or product name
- To see the label that we have on file, select SHOW LABEL LINKS

The screenshot shows a web form titled "Search Criteria" with various input fields and dropdown menus. The "Program" dropdown is set to "Pesticide Registrants". The "Registration Year" dropdown is set to "2020". The "Show Label Links" checkbox is checked. At the bottom, there are "Search", "Clear", and "Back" buttons.

Search Criteria	
Program:	Pesticide Registrants
USAPlants ID:	
Company Name:	
Brand Name:	
Brand ID:	
Brand Line:	
Dual Brand:	
EPA Registration Number:	
Registration Year:	2020
Manufacturer ID:	
Issue Date:	Start: [calendar icon] [input] End: [calendar icon] [input]
Original Effective Date:	Start: [calendar icon] [input] End: [calendar icon] [input]
25-B:	
EUP:	
SLN:	
Restricted Use Pesticide:	
Kit/CoPack:	
Section 18:	
Device:	
Show Label Links:	<input checked="" type="checkbox"/>
[Search] [Clear] [Back]	

4. So, what does it mean that all pesticide products must be used in a manner consistent with the product labeling?

Whether the product is a Sec. 3 registered pesticide, Sec. 24(c) special local need registration, or a Sec. 25(b) state-registered pesticide the “label is the law” when it comes to legal use.

- For Sec. 3 products, use directions for the target crop “hemp” must be accepted by U.S. EPA and on the product label at the time of application.
- For Sec. 24(c) registrations, the grower must have a copy of the 24(c) on hand at the time of application.
- For Sec. 25(b) pesticides to be legally used on hemp, the product must be state registered, have ingredients that are exempt from a tolerance requirement by U.S. EPA, be labeled for use on other agricultural crops, and not labeled specifically for residential use. Sec. 25(b) products and labels that meet these criteria have been identified by OISC below.

OISC is in a continual process of reviewing labels for compliance with these criteria, so the referenced listing is subject to frequent change. If you are interested in a product that is not registered for use in the state of Indiana or is not on the list of products acceptable for use on hemp, please contact our office at (765)494-1587.

5. I have seen information online for making my own pesticides for use on hemp. Can I use these “home-brew” pesticides on my own hemp crop?

No. It is a violation of state pesticide law (I.C. 15-16-5-65-16) to knowingly purchase or use a pesticide product that has not been registered by OISC. Therefore, nonregistered home-brewed pesticides cannot be sold, distributed, or used in Indiana on hemp or any other agricultural crop, regardless of product ingredients.

6. What is the definition of a “pesticide”?

According to IC 15-16-4-30, a pesticide means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating a pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

7. What is the definition of a “pest”?

According to IC 15-16-5-24, a pest means any insect, rodent, nematode, fungus, or weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other microorganism, except viruses, bacteria or other microorganisms on or in living humans or other living animals.

Questions about pesticide products or the preceding information may be directed to OISC at: (765) 494-1587 or pestproducts@purdue.edu.

Sec. 3, EPA registered, products acceptable for use on hemp and registered in Indiana			
OISC Product ID	Company Name	Product Name	EPA Reg Number
2019085216	MARRONE BIO INNOVATIONS	REGALIA BIOFUNGICIDE	84059-3
2018083267	MARRONE BIO INNOVATIONS	REGALIA CG BIOFUNGICIDE	84059-3
2018083084	MARRONE BIO INNOVATIONS	STARGUS BIOFUNGICIDE	84059-28
2016080206	GENERAL HYDROPONICS	GENERAL HYDROPONICS PREVASYN INSECT REPELLANT/INSECTICIDE	91865-1
2019084738	GENERAL HYDROPONICS	GENERAL HYDROPONICS PREVASYN INSECT REPELLANT / INSECTICIDE 2	91865-1
2016080207	GENERAL HYDROPONICS	GENERAL HYDROPONICS EXILE INSECTICIDE/FUNGICIDE/MITICIDE	91865-2
2019085092	GENERAL HYDROPONICS	GENERAL HYDROPONICS DEFGUARD BIOFUNGICIDE/BACTERICIDE1	91865-3
2016080208	GENERAL HYDROPONICS	GENERAL HYDROPONICS DEFGUARD BIOFUNGICIDE/BACTERICIDE	91865-3
2017080722	GENERAL HYDROPONICS	AZAMAX BOTANICAL INSECTICIDE/MITICIDE/NEMATOCIDE1	91865-4
24(c) Special Local Need Registrations for use on hemp			
OISC Product ID	Company Name	Product Name	IN SLN Number
2020085540	CERTIS USA LLC	GEMSTAR LC (EPA REG. NO. 70051-45)	IN-200005
2020085539	CERTIS USA LLC	AGREE WG (EPA REG. NO. 70051-47)	IN-200006
2020085536	MARRONE BIO INNOVATIONS	GRANDEVO WDG (EPA REG. NO. 84059-27)	IN-200007
2020085535	MARRONE BIO INNOVATIONS	GRANDEVO CG (EPA REG. NO. 84059-27)	IN-200008
2020085538	MARRONE BIO INNOVATIONS	VENERATE XC (EPA REG. NO. 84059-14)	IN-200009
202008537	MARRONE BIO INNOVATIONS	VENERATE CG (EPA REG. NO. 84059-14)	IN-200010

Indiana list of 25(b), minimum risk, pesticide products acceptable for use on hemp

OISC Product ID	Company Name	Product Name	OISC 25B Number
2014076760	BONIDE PRODUCTS INC	BONIDE BURNOUT FAST ACTING WEED & GRASS KILLER CONCENTRATE	4-25B-20
2014075459	BONIDE PRODUCTS INC	BONIDE MAIZE WEED PREVENTER READY TO SPRAY	4-25B-19
2016079566	DR EARTH CO	DR EARTH PURE & NATURAL FINAL STOP VEGETABLE GARDEN INSECT KILLER	999999-25B-5
2016079572	DR EARTH CO	DR EARTH PURE & NATURAL FINAL STOP VEGETABLE GARDEN INSECT KILLER CONCENTRATE	999999-25B-11
2016079564	DR EARTH CO	DR EARTH PURE & NATURAL FINAL STOP WEED & GRASS HERBICIDE	999999-25B-3
2016079568	DR EARTH CO	DR EARTH PURE & NATURAL FINAL STOP YARD & GARDEN INSECT KILLER	999999-25B-7
2016079570	DR EARTH CO	DR EARTH PURE & NATURAL FINAL STOP YARD & GARDEN INSECT KILLER CONCENTRATE	999999-25B-9
2017081117	GARDENS ALIVE!	WOW! WITHOUT WEEDS PRE-EMERGENT WEED CONTROL FOR LAWNS AND GARDENS 9-0-0	56872-25B-20
2008066324	JH BIOTECH INC	SAFERGRO ANT OUT NATURAL ANT/INSECT KILLER RTU	68573-25B-1
2014076718	JH BIOTECH INC	SAFERGRO BIOPEL NATURAL INSECT REPELLENT	68573-25B-9
2008066326	JH BIOTECH INC	SAFERGRO MILDEW CURE NATURAL POWDERY MILDEW FUNGICIDE RTU	68573-25B-2
2008066327	JH BIOTECH INC	SAFERGRO PEST OUT NATURAL INSECTICIDE & MITICIDE RTU	68573-25B-3
2008066325	JH BIOTECH INC	SAFERGRO WEEDZAP NATURAL BIODEGRADABLE NON-SELECTIVE HERBICIDE RTU	68573-25B-4
2016080213	KEMIN INDUSTRIES INC	TETRACURB CONCENTRATE	8596-25B-1
2005060211	KTI DIRECT	MOLEXIT	999999-99999
2014075869	LIQUID FENCE CO	ECOLOGIC GARDEN INSECT KILLER	72041-25B-25
2014075870	LIQUID FENCE CO	ECOLOGIC GARDEN INSECT KILLER CONCENTRATE	72041-25B-24
2014075875	LIQUID FENCE CO	ECOLOGIC HOUSEPLANT & GARDEN INSECT KILLER	72041-25B-26
201207355	MOTOMCO	TOMCAT MOLE & GOPHER REPELLENT LIQUID	3240-25B-2
2019084806	P F HARRIS MANUFACTURING COMPANY LLC	HARRIS DEER & RABBIT REPELLENT SPRAY	3-25b-5
2017082173	PACIFIC SHORE HOLDINGS INC	NATURE-CIDE ALL-PURPOSE COMMERCIAL CONCENTRATE INSECTICIDE	90395-25B-3
2019085259	SAFER INC	SAFER BRAND WEED PREVENTION PLUS HERBICIDE	42697-25B-3
2010068464	ST GABRIEL ORGANICS	HOLY MOLEY MOLE REPELLENT	63191-25B-1
2018085257	UNITED COMPOST & ORGANICS INC	BUSHDOCTOR FORCE OF NATURE INSECT REPELLENT (CONCENTRATE)	71996-25B-1
2018085258	UNITED COMPOST & ORGANICS INC	BUSHDOCTOR FORCE OF NATURE MITICIDE (CONCENTRATE)	71996-25B-2
2019084573	VIC WEST IMPORTERS	GRANDPA GUS'S CINNA-MINT SCENTED MOUSE REPELLENT POUCHES	93142-25B-3
2019084573	VIC WEST IMPORTERS	GRANDPA GUS'S MOUSE REPELLENT POUCHES	93142-25B-2