

YOUR BUSINESS PARTICIPATION

What Should I Do?

Some people say “The Best Defense is a Good Offense.” So go on the offensive! Be proactive!

The best way to protect yourself, your family, your workers, your customers and your property is to know as much as you can about the correct way to use pesticides, your responsibilities to your workers, and any adverse effects pesticides can have.

If you currently use, or supervise the use of a pesticide and the label contains an Agricultural Use Box statement for agricultural production and have employees, you are required by law to adhere to the Federal Worker Protection Standard (WPS).

We'll be happy to work with you to achieve compliance, and continue to work with you if and when new changes to the existing laws arise. The better you communicate your needs and/or concerns, the better we will be able to respond to those needs.

Department's Authority

The Department has the authority to; Inspect, Investigate, and Regulate all aspects of pesticide use, as described in the Pesticide Applicators' Act, §§ 35-10-101 – 35-10-128, C.R.S. ("PAA").

WPS Resources:

<https://www.colorado.gov/pacific/agplants/private-pesticide-applicators>

Private Pesticide Applicators

<http://www.epa.gov/pesticides>

<http://www.cepep.colostate.edu/>

CONTACTS:

If you have questions or need information about :

Worker Protection Standards:

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Private Applicator Licensing:

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Cannabis & Pesticide Questions:

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COLORADO DEPARTMENT
OF AGRICULTURE

DIVISION OF PLANT INDUSTRY



CONCERNING
PESTICIDE USE
AND
CANNABIS

**PRIVATE APPLICATOR
PROGRAM**

CANNABIS AND PESTICIDE USE

WHAT ARE THE PROGRAM GOALS?

The Division of Plant Industry Private Applicator Program strives to prevent adverse human health effects related to pesticide exposure.

This program works toward protection of the environment from harm caused by improper use or disposal of pesticides and to minimize the risk of damage to property and crops through education, assistance and enforcement of the **Colorado Pesticide Applicators' Act (PAA)** and the **Federal Worker Protection Standard (WPS)**.

COLORADO DEPARTMENT OF AGRICULTURE

Responsibilities include but are not limited to:

- **Private Applicator Program** gives the Department the authority to inspect and investigate the use of any pesticide by any person in the State of Colorado.



- **WPS** requires any entity that produces an agricultural plant and has employees to adhere to the requirements of 40 CFR Part 170 (WPS).

WHAT IS THE FEDERAL WORKER PROTECTION STANDARD (WPS)?

40 CFR Part 170

A regulation developed to protect all persons involved in agricultural work from the harmful effects of pesticides and their residues.

The WPS covers agricultural workers and pesticide handlers who are employed in the production of an agricultural plant on farms, forest operations, nurseries in the outdoors or enclosed space production. This regulation requires employers to take steps to protect themselves, their families, and their workers from potential exposure to pesticides and their residues.



In 40 CFR Part 170.3 Definitions:

agricultural plant means any plant or part thereof, grown, maintained or otherwise produced for commercial purposes, including growing, maintaining or otherwise producing plants for sale/trade.

enclosed space production means production that is indoors or in a structure or space that is covered in whole or in part by any nonporous covering and that is large enough to permit a person to enter.

The Department views cannabis as an agricultural commodity as defined in the Rules and Regulations pertaining to the PAA (8 CCR 1203-2) and as an agricultural plant as defined in 40 CFR Part 170 (WPS), therefore, WPS applies.

In the Rules and Regulations definitions:

agricultural commodity means any plant, or part thereof, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by man or animals.

Cannabis is a plant that is grown for commercial purposes within an enclosed space and outdoor production, it must be considered an agricultural plant as defined above. Cannabis like any other agricultural plant has pest pressures, predominately, mildews, mites and aphids. As a result, growers of cannabis are inclined to use pesticides to control or mitigate these pest problems.

The ONLY pesticides permitted to be used on cannabis are listed on the CDA website. Check before using to ensure compliance.

<https://www.colorado.gov/pacific/agplants/pesticide-use-cannabis-production-information>