

Pesticide Laws in States with Legalized Cannabis (Marijuana) Production

State	Pesticide Restrictions	Pesticide/Contaminant Testing	Pesticide Labeling	Organic Discussed	State Act or Regulation
<i>Alaska</i> – <i>Medical</i>	No	No	No	No	Alaska Statutes, Chapter 37: Medical Uses of Marijuana Program.
– <i>Recreational</i>	To be determined.	To be determined.	To be determined.	To be determined.	“An Act to Tax and Regulate the Production, Sale, and Use of Marijuana.”
<i>Arizona</i>	No	Testing for pesticide residues required.	Yes –list of all chemical additives used in production.	No	Title 9. Health Services. Chapter 17. Department of Health Services Medical Marijuana Program.
<i>California</i>	No	No	No	No	SB 420, Lindsey, Tonya D. 2012. Medical Marijuana Cultivation and Policy Gaps. California Research Bureau.
<i>Colorado</i> – <i>Medical</i>	Individual localities may further regulate.	Testing for pesticide residues required.	Yes –list of all chemical additives used in production.	No	Colorado Department of Revenue. 1 CCR212-1.
– <i>Recreational</i>	No	Not required, but, if not performed, must state on label, “The marijuana contained within this package has not been tested for contaminants.”	Yes –list of all non-organic pesticides used in production.	No	Colorado Department of Revenue. 1 CCR212-2.
<i>Connecticut</i>	Pesticide use not allowed unless authorized by regulator to address infestation that would result in catastrophic loss.	Testing for pesticide residues required; those that exceed acceptable levels (higher than most stringent residue standard on any food as set by EPA) must be disposed.	Must list whether the product passed/failed laboratory tests.	Not allowed to be labeled organic unless certified to be consistent with national organic standards.	State of Connecticut. Department of Consumer Protection Regulations. Sec. 21a-408.
<i>Delaware</i>	Use of pesticides prohibited.	Dispensaries required to develop testing protocol, which may or may not include pesticide contaminants.	Dispensaries required to develop labeling that includes details indicating the medical marijuana is free of contaminants.	No	4470 State of Delaware Medical Marijuana Code.
<i>District of Columbia</i> – <i>Medical</i>	Cultivation centers forbidden from using synthetic pesticides.	Dispensaries required to describe plan for testing or verifying medical marijuana received from a cultivation center and ensuring that all medical marijuana is free of contaminants.	Yes –list of all chemical additives used in production.	Cultivation center applicants must demonstrate knowledge of organic growing methods.	District of Columbia Title 22-C.
– <i>Recreational</i>	To be determined.	To be determined.	To be determined.	To be determined.	DC Initiative 71
<i>Hawaii</i>	No	No	No	No	Hawaii Administrative Rules. Chapter 23-202
<i>Illinois</i>	Department created a list of approved pesticide active ingredients; pesticides may not be applied after the vegetative stage of a cannabis plant.	Testing for pesticide residues required –product deemed to pass if lower than most stringent acceptable standard for the pesticide residue on any food item, as set by EPA; publish list of labs that can test medical cannabis.	Must list whether the product passed/failed laboratory tests, producer must have plan for ensuring cannabis is free of contaminants.	No	Illinois Department of Agriculture. 8 Ill. Adm. Code 1000.
<i>Maine</i>	Only pesticides exempt from a federal registration allowed.	Testing for pesticide residues required.	No	Require producer knowledge of organic practices; not allowed to be labeled organic unless certified to be consistent with national organic standards; must provide patients information whether products meet organic certification standards.	Rules Governing the Maine Medical Use of Marijuana Program. 10-144CMR Chapter 122.

Maryland	To be determined.	To be determined.	To be determined.	To be determined.	Senate Bill 923
Massachusetts	Non-organic pesticide use prohibited –cultivation process requires best practices to limit contamination.	Testing for pesticide residues required –frequency of testing determined by regulators.	Requires statement that product has been tested for contaminants and there were no adverse findings.	Cultivation must be consistent with USDA national organic standards.	105.CMR:Department of Health. (725.105).
Michigan	No	No	No	No	Department of Licensing and Regulatory Affairs. R 333.101.
Minnesota	Product must be designed in a way that limits contamination.	Testing for pesticide residues required –rules regarding testing of pesticides To be determined. by regulator.	No	No	Minnesota Department of Health. 4770.
Montana	No	No	No	No	Montana Public Health and Human Services. 37.107 Marijuana Registry.
Nevada	Regulators to establish a list of pesticides approved for cultivation.	Testing for pesticide residues required –product deemed to pass if lower than most stringent acceptable standard for the pesticide residue on any food item, as set by EPA.	Yes –must disclose all pesticides applied.	Not allowed to be labeled organic unless certified to be consistent with national organic standards.	Division of Public and Behavioral Health. R004-14.
New Hampshire	Regulators created list of prohibited chemicals –only pesticide approved for organic cultivation and exempt from federal registration allowed– cultivation process must be designed to limit contamination.	Testing for pesticide residues required.	Label must note that the product is not certified to be free of contaminants.	Cultivation requires growing methods consistent with USDA national organic standards.	Therapeutic Cannabis Program He-C 402.
New Jersey	Pesticide use prohibited.	Testing for pesticide residues required.	No	Not allowed to be labeled organic unless certified to be in compliance with national organic standards.	Medical Marijuana Program Rules. NJAC 8:64.
New Mexico	No	Regulators may conduct unannounced inspection and testing if complaint over contaminants received.	No	Requires producer knowledge of organic practices (proposed rule removes this provision).	Medical Use of Cannabis. Title 7 Chapter 34 Part 4.
New York	To be determined.	To be determined.	To be determined.	To be determined.	Compassionate Care Act A06357.
Oregon –Medical	No	Testing for pesticide residues required –a sample shall be deemed to test positive with a detection of more than .1 parts per million of any pesticide.	Label must include name of testing facility.	No	Oregon Health Authority 333-008.
–Recreational	To be determined.	To be determined.	To be determined.	To be determined.	Measure 91.
Rhode Island	No	No	No	No	Rhode Island 21-28.6MMP.
Vermont	Pesticide use prohibited.	Regulators may conduct unannounced inspection and testing if complaint over contaminants received.	No	No	18 VSA Chapter 86 Subchapter 2.
Washington –Medical	Washington State Department of Agriculture created a list of pesticides it believes can be legally used on cannabis –Individual localities may further regulate.	No	No	No	Washington State University Pesticide Information Center Online, and Chapter 69.51A.140.
–Recreational	Regulating a list of pesticides that can be used on cannabis; producers must list pesticides utilized in the production process and must record pesticide applications –violations may result in cancellation of license.	Testing for pesticide residues required –lab name and results available to customers upon request.	Yes –must disclose all pesticides applied.	Not allowed to be labeled organic unless permitted by USDA in accordance with national organic standards.	Washington State University Pesticide Information Center Online, and Chapter 314-55.