

Medical Use of Marijuana Pesticide Policy

This document was issued originally by the Department of Public Health (DPH). As part of the transfer of the medical-use of marijuana program on or before December 31, 2018, the Commission adopted this document. We suggest that before you rely on the contents of this document, you check the applicable medical-use marijuana laws, which include M.G.L. c. 94I and 935 CMR 501.000, as they may provide or clarify the legal requirements related to this document. We also suggest that you periodically check for revisions to this document. Questions with regards to this document may be directed to Commission@CCCMass.Com.

Circular Letter: DHCQ 18-10-681

TO: Registered Marijuana Dispensaries
FROM: Elizabeth Chen, PhD, MBA, MPH, Bureau Director, BHCSQ
SUBJECT: Medical Use of Marijuana Pesticide Policy
DATE: October 16, 2018

The purpose of this circular letter is to remind Registered Marijuana Dispensaries (“RMDs”) of the regulatory prohibition of the application of any pesticide in connection with the cultivation of medical marijuana products by RMDs, unless explicitly approved by the Department. **To date, the Department has not approved the use of any pesticide.**



In December 2017, 105 CMR 725.105(B)(1)(d) was amended to make it clear that the use of any pesticide (including organic pesticide) is not permissible in Massachusetts unless otherwise approved by the Department.¹

It has come to the attention of the Department that some RMDs may not be aware of the amended regulations. The Department has issued this circular letter to notify RMDs once again of the clarification and ensure that they are in compliance with regulatory requirements.

The application of pesticides falls under the jurisdiction of the Massachusetts Department of Agriculture. A "Pesticide" is defined as a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant. Massachusetts regulates pesticides under the authority of the Massachusetts Pesticide Control Act (MPCA, MGL Chapter 132B). The regulations pertaining to this law are Chapter 333 of the Code of Massachusetts Regulations (333 CMR 1-14). Further information may be found [here](#).⁻

¹ The language was amended as follows: Application of any pesticide in the cultivation of marijuana not approved by the Department is prohibited. A RMD may label marijuana and MIPS with the word "organic" only if all cultivation is consistent with U.S. Department of Agriculture organic requirements at 7 CFR Part 205

