

Message

From: Daguillard, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]
Sent: 8/4/2017 2:20:49 PM
To: John Jaksich [Ex. 6]
CC: Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]
Subject: FW: Pesticide regulations AND Invasive species

John, for attribution to "an EPA spokesperson," please:

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), it is illegal to sell or distribute a pesticide unless it is registered by EPA. EPA registers pesticides based on sufficient scientific data for the agency to conclude that it can be used safely for the intended purpose, following approved label instructions and precautions. Under FIFRA, pesticide labels are legally enforceable; they bear the statement: "It is a violation of Federal law to use this product in a manner inconsistent with its labeling." Such misuse can subject the applicator to civil or criminal penalties. FIFRA gives primary enforcement responsibility for pesticide use to the states. Each state has a lead agency (often the state department of agriculture) with primary responsibility for investigating and enforcing incidents involving the use of pesticides in the state, and most states have their own state pesticide use laws, which may be, and often are, more restrictive than FIFRA. For more information about enforcement in a state, contact the [state lead agency](#). For advice about how to control unwanted plants, you may wish to talk to a [local Extension Service](#).

Common table salt is not registered as a pesticide, and thus, there is no approved label. If someone were to sell or distribute table salt for pesticidal use, that would be a violation of FIFRA. It would not be a violation of FIFRA if you applied it only to your own property. If you applied a registered pesticide for a purpose for which it is not approved, or if you applied more than allowed per the label instructions, you would be in violation. FIFRA has been enforced thousands of times. FIFRA has been around for 70 years and is enforced by EPA. Enforcement of FIFRA under state or tribal law is carried out in all 50 states (only 48 states in the beginning), plus Tribes and territories.

Thanks, R.

Robert Daguillard
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[Ex. 6]

From: John Jaksich [Ex. 6]
Sent: Thursday, July 27, 2017 3:39 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Pesticide regulations AND Invasive species

Good afternoon, Mr. Daguillard

Thank you for taking my call. I request information on the legal ramifications of using herbicides that are not specifically designated for species of weed?

The case in point is the Giant Hogweed that has gained a foothold in New York state. Triclopyr and Glyphosate are two designated herbicides for the eradication of the noxious species.

I request to speak with or send questions regarding herbicide registration to fight the invasive species.

Best,

John A. Jaksich