



STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
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December 11, 2018

TO: Companies That Register Spray Adjuvants in Washington State

FROM: Kelle Davis, Program Manager, Registration and Licensing Services

SUBJECT: Updated Guidance on Spray Adjuvant Ingredient Statements

For several years, we at the Washington State Department of Agriculture (WSDA) have been working to simplify and streamline the process for registering spray adjuvants in Washington State. However, we understand that the spray adjuvant industry has some concerns about our recent guidance on adjuvant ingredient statements. We will continue working with you to address these concerns, while also working towards a more efficient and timely spray adjuvant registration process.

We believe greater consistency and clarity of ingredient names allowed on spray adjuvant labels will benefit your industry, pesticide applicators, other agencies, and the public. We will still review all existing spray adjuvant registrations to ensure compliance with applicable laws and rules, and to ensure that spray adjuvant labels are not false or misleading.

Registrants who were directed to make label revisions to amend their Principal Functioning Agents (PFA) statement (in order to adhere to our March 2017 guidance) prior to December 11, 2018 may either delay the revision until further notice or submit their updated label if they wish. Label revisions requested by WSDA for other reasons and all label revisions requested after December 11, 2018 still need to be completed.

Effective immediately, WSDA will use the following process for evaluating spray adjuvant ingredient statements.

Principal Functioning Agents (PFA):

1. Acids (such as Citric acid, Phosphoric acid, Sulfuric acid), and Ammonium sulfate – Registrants should only use the chemical name for each acid, and for ammonium sulfate, in the ingredient statement.
 - a. Using a synonym or chemical class is not allowed for an acid, because it could be misleading to workers or pesticide applicators. (This requirement does not apply to fatty acids.)
 - b. Using a synonym or chemical class is not allowed for ammonium sulfate, because pesticide applicators must be able to determine if they are complying with pesticide label guidance regarding ammonium sulfate.
2. Ingredients not allowed for use on food or feed crops (e.g., Jojoba oil) - Registrants should only use the chemical name or synonym (not a chemical class) for an ingredient that is not allowed for use on food or feed crops.
 - a. Using a chemical class that contains both food and non-food ingredients is not allowed, in order to prevent inadvertent contamination of a food or feed crop.

3. Mineral oils and Paraffinic oils - WSDA prefers that registrants use the chemical class in the ingredient statement instead of the chemical name or synonym, as the chemical class is more readily understood by pesticide applicators. (e.g., Use the chemical class of “*Paraffinic oil*” instead of the chemical name of “*Solvent-refined light paraffinic petroleum distillates.*”)
4. All other ingredients (not included in above) - **Registrants may continue to use the chemical class** in the ingredient statement, instead of the chemical name or synonym as directed in the March 2017 guidance document.
 - a. WSDA prefers that registrants use the chemical name or synonym in the ingredient statement, since these names more accurately describe the product composition and using these names may help to speed the review process.
 - b. Some ingredients may not have a chemical class.
 - c. In some cases, the chemical class may not adequately identify the chemical for the purpose of hazard communication standard requirements, which are enforced by the Washington State Department of Labor & Industries.

To assist registrants and suppliers, we have developed a partial list of spray adjuvant ingredients that can be sorted by the Chemical Abstracts Service (CAS) number, chemical name, synonym and chemical class: <https://agr.wa.gov/PestFert/Pesticides/docs/PartialListSprayAdjuvantIngredients.pdf>. Additional ingredients, synonyms and chemical classes will be added to the list as they are evaluated. WSDA will solicit feedback from and consult with interested stakeholders to develop spray adjuvant ingredient synonyms and chemical classes.

As always, the confidential statement of formula (CSF) must list the specific chemical name and CAS number for all ingredients.

Confidential Business Information (CBI):

Some registrants have said their spray adjuvants have proprietary formulas, and therefore, they do not want to disclose ingredient information on labels. By rule [see WAC 16-228-1400(3)(c)(i)] the top three PFAs are not considered CBI and must appear on the label with the combined percentage of all PFAs.

Our updated guidance on spray adjuvant ingredient statements should help to address this concern. In addition, the percentages of the individual PFAs and the chemical names of “Constituents Ineffective as Spray Adjuvants” are not required on the label, which offers additional protection of the product formula.

We are reviewing the requirements for spray adjuvant registration to determine if we can take any potential actions to help address the CBI concern. Once our review is completed, we will share our results and potential actions with the spray adjuvant industry.

Questions? Contact the WSDA Pesticide Registration Section at (360) 902-2025 or e-mail pestreg@agr.wa.gov.