Cannabis Regulation in San Francisco: 
Recommendations from the Toxics Reduction & Healthy Ecosystems Program 
11/13/17

RECOMMENDATIONS – San Francisco regulations

1. **Require disclosure of all pesticides and solvents used in indoor cannabis production.** Disclosure of all pesticide products should be required with each permit application and renewal, include all pesticides (including federally exempt products), and harmonize with existing pesticide reporting requirements.

2. **As part of a permit requirement, limit pesticides that may be used in San Francisco.** The State is likely to impose significant restrictions; additional local restrictions require legal review regarding pre-emption issue.

RECOMMENDATIONS: State regulations

1. **Advocate at the state level for a system of spot auditing for chemical and microbial adulterants** to allow for testing of a wider range of chemicals.

2. **Consider requirements for state approved third-party certifiers of cannabis cultural techniques and quality.** Such requirements could include requirements for conformity assurance that include escalating levels of audits, as is common in other environmental performance certification schemes.

3. **Advocate that DPR perform testing on any federally exempt pesticides that lack pyrolysis toxicity data.**

UNANSWERED QUESTIONS

1. **What are the hazards from federally exempt pesticides?** Although most of federally exempt pesticide ingredients are derived from familiar plants used in food, such as cinnamon or thyme, many have not all been subjected to toxicity testing required of other pesticide ingredients – particularly for exposure pathways via smoke.

2. **Does the proposed DPR regulation on pesticide reporting near schools apply to indoor cannabis operations?** A tentative response from DPR was that indoor operations would still be defined as agricultural commodities.

3. **Can local jurisdictions restrict pesticide use as part of permit conditions?** It is unclear whether federal pre-emption applies in this case.

4. **Will state requirements for cultivation plans and pesticide disclosure include federally exempt pesticides?** If not, then there would be no state-level requirements for disclosure of these products.