

Experimental Use Permit Fact Sheet

- ❖ ***An Experimental Use Permit (EUP) can only be issued to someone licensed by the Hawaii Department of Agriculture (DOA) after passing an exam in research pest control.***
- ❖ ***A permit can only be issued if the researcher can clearly demonstrate assurances of human health and environmental protection.***
- ❖ ***By the time a product is researched in the field it has undergone numerous laboratory studies on the product's safety.***

What is an EUP?

Pesticides must undergo field studies to ensure they work under real world conditions. An EUP permits a company to gather information before a product is registered or before a specific use is added to a product label, according to guidelines outlined in the permit.

How many EUPs are granted each year in Hawaii?

The DOA approves on average less than 5 EUPs each year and has never issued an EUP for use in a water body.

Who can apply for an EUP?

In Hawaii, only persons who have passed an examination and are licensed specifically to perform research pest control can apply for an EUP.

Before an application is approved, the applicant must provide numerous items to DOA including but not limited to:

- Product chemistry and toxicity data
- Information on the applicant
- The purpose of the proposed tests
- Targeted pests
- Application rates
- Crops
- Dates or time frame
- How the research will be supervised
- Proposed product labeling
- How unused portions will be disposed



Based on the information, DOA may place restrictions on the permit.

Reporting Requirements

The holder of an EUP must submit reports to DOA regarding the status of the research.

Restrictions

The active ingredient (main chemical in the product) cannot be subject to cancellation or suspension by the U.S. Environmental Protection Agency.

Under federal law, testing cannot be conducted in waters that contain or affect fish, shellfish, plants, or animals taken for recreational or commercial purposes and used for food or feed, unless an appropriate temporary tolerance or exemption from a tolerance has been established. This is also true for animal treatment tests. A tolerance is the maximum amount of a pesticide that may remain in or on foods marketed in the U.S.

Experimental products cannot be advertised or offered for general sale or use.

Products must be labeled for experimental use only and contain a warning or caution statement to protect the handler or anyone who may come in contact with the product.

Experimental Use Permits - Myths

Myth: Companies are performing numerous experiments in Hawaii with toxic pesticides and there are no laws or regulations to control these experiments.

Response: Companies must apply for an experimental use permit from DOA if the field research exceeds $\frac{1}{4}$ acre. DOA on average issues less than 5 experimental use permits per year. Hawaii regulations state that a permit can only be issued if the researcher can clearly demonstrate assurances of human health and environmental protection.

Myth: Chemical companies are experimenting with toxic pesticides in Hawaii for the sole purpose of increasing sales.

Response: The decision to develop new products is determined by grower needs in addressing pests. Before a product is field tested, it has undergone extensive laboratory testing to assess human health or environmental impacts. Millions of dollars are lost each year on the research and development of chemicals that don't ever make it to the field testing stage. The testing of products is to assure the efficacy of that product for a specific pest, not to determine the sale potential.