

# ODA PESTICIDE QUARTERLY

Issue XXVIII

Spring 2005

Oregon Department of Agriculture Pesticides Division

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## HAZARD COMMUNICATION STANDARD

All pesticide-related businesses, public entities and farms (with employees) in Oregon must comply with OSHA's Hazard Communication Standard (HCS). This law was enacted to ensure that information on the hazards of chemicals in the workplace is communicated to those who might be exposed.

Covered employers must have a hazard communication program to get information to their employees. The main program elements consist of a written plan, labels on containers, material safety data sheets (MSDSs), and training.

### Written Plan:

- Describes how the employer will label chemicals, provide MSDSs and provide employee training.
- Explains about hazardous non-routine tasks.
- Explains how the employer will communicate with subcontractors.
- Lists the chemicals known to be present.
- Available to employees during their work shift.

### Labels and MSDSs:

- Labels affixed to containers of hazardous chemicals are kept in place.
- Employer maintains and provides access to MSDSs
- Employer provides MSDSs if requested by an employee.
- Available to employees during their work shift.

### Information and training should include:

- How to read labels and review MSDSs.
- List of chemicals present in workplace operations.
- Location and availability of the written hazard communication plan and MSDSs.
- Physical and health effects of the hazardous chemicals. How to reduce or prevent exposure to these chemicals through improved work practices and personal protective equipment.
- Steps the employer has taken to reduce or prevent exposure to these chemicals.
- Emergency procedures to follow if the employee is exposed to these chemicals.
- Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area.

For more info, call OR-OSHA consultations 1-800-922-2689 or 503-378-3272

## PROPOSED STATE LEGISLATION

The 73rd Oregon Legislative Assembly is currently in session. The following summaries were taken from introduced bills related to pesticides and fertilizers.

The full text versions of all bills are available on the state of Oregon website: [http://www.leg.state.or.us/bills\\_laws/](http://www.leg.state.or.us/bills_laws/)

**Senate Bill 290**

Makes pesticide use reporting system permanent. Increases registration fee for pesticide products. Requires ODA to expend portion of registration fees for implementing, administering and enforcing pesticide use reporting system. Changes date for beginning publication of annual pesticide use report.

**House Bill 2152**

Authorizes ODA to develop and administer program to educate urban residents regarding noncommercial pesticide use. Authorizes department to coordinate pesticide program information gathering and utilization. Changes implementation and sunset dates for pesticide use reporting system.

**House Bill 2252**

Eliminates provision requiring Occupational Health Section to perform study by December 1, 1976. Eliminates 1977 date reference regarding ODA restriction on thiram use. Eliminates requirements that rules or actions regarding use of thiram be based solely on 1976 report. Makes conforming changes. Updates state agency designation.

**House Bill 2595**

Adds property of homeowners associations to category of property to which government entity may apply pesticide products without first obtaining pesticide operator license or evidence of financial responsibility.

**House Bill 3002**

Amends Oregon Forest Practices Act, administered by ODF. Imposes additional information requirement for notice or written plan for chemical application involving commercial application of pesticides to certain forestlands. Extends time for making comments regarding notice or written plan for pesticide application. Delays earliest time for proceeding with pesticide application following submission of written plan. Makes failure to timely file notice subject to civil penalty, not to exceed \$5,000. Makes failure to comply with State Forester order to file notice or to correct notice information punishable by civil penalty, not to exceed \$5,000 for each day of noncompliance.

**House Bill 3003**

Requires pesticide operator, governmental body, public utility or telecommunications utility making applications of pesticide to real property to give notice to ODA before making application. Creates exceptions. Specifies timing and content of notice. Requires department to maintain notice as public record. Makes failure to file proper notice in timely manner punishable by civil penalty not to exceed \$1,000 for first violation or \$2,000 for subsequent violation. Makes failure to comply with department order to file notice or to

correct notice information punishable by civil penalty not to exceed \$1,000 for first day of noncompliance and \$2,000 for each subsequent day of noncompliance.

This bill also contains provisions outlined in House Bill 3002.

**House Bill 3231**

Requires testing of land in farm use zone for pesticide contamination before submission of plans to governing body for subdivision of land. Requires that Environmental Quality Commission adopt rules regarding pesticide testing, cleanup and risk to humans. Requires disclosure of pesticide testing in seller's property disclosure statement. Declares emergency, effective on passage.

**House Bill 3125**

Directs vector control districts and county courts to use certain pest management methods. Imposes civil penalty of \$250 per day if landowner fails to eradicate vector habitat. Imposes civil penalty on landowner for expenses when vector control district or county court enters land to eradicate vector habitat posing public health emergency. Authorizes Department of Human Services to match funds with vector control district for disease surveillance. Authorizes compensation for trustees' attendance at training and educational conferences.

**House Bill 5004**

Approves increased fees already enacted by ODA through administrative rulemaking process.

**Senate Bill 184**

Revises language in statutes regulating registration and distribution of fertilizer, agricultural amendment, agricultural mineral and lime products.

**House Bill 3082**

Provides tax credit for farmers who add nontoxic dye to anhydrous ammonia for purposes of deterring theft by producers of methamphetamine. Applies to tax years beginning on or after January 1, 2006. Requires Oregon State Police to certify brands of dye as eligible for credit. Exempts farmers from liability for environmental contamination for use of dye.

**NPDES PERMITS NEEDED?**

Two separate efforts have begun to change a 2001 determination by the U.S. 9th District Court of Appeals. In that ruling, the court determined that some pesticide uses (including aquatic herbicide uses) require a special permit under the Federal Clean Water Act (CWA). EPA, the agency that administers both CWA and FIFRA, has proposed rulemaking that would specify that pesticide products lawfully used under FIFRA do not require a National Pollution Discharge Elimination System (NPDES) permit

issued under CWA. In a separate effort, Rep. Otter of Idaho is gathering support for federal legislation that would state the lawful use of pesticide products under FIFRA is not subject to NPDES requirements.

## USDA RECORD INSPECTIONS

The Oregon Department of Agriculture is again contacting Private Pesticide Applicators to review their records of restricted-use pesticide use. These records are required by federal law, administered by USDA. From a pool of the state's 4,800 Private Applicators, ODA selected 65 individuals. Each selected individual has received or will receive a pre-notification letter. A representative of the Oregon Department of Agriculture will be conducting a review of pesticide application records for these individuals.

To request a copy of the USDA Recordkeeping Requirements please call ODA at (503) 986-4635.

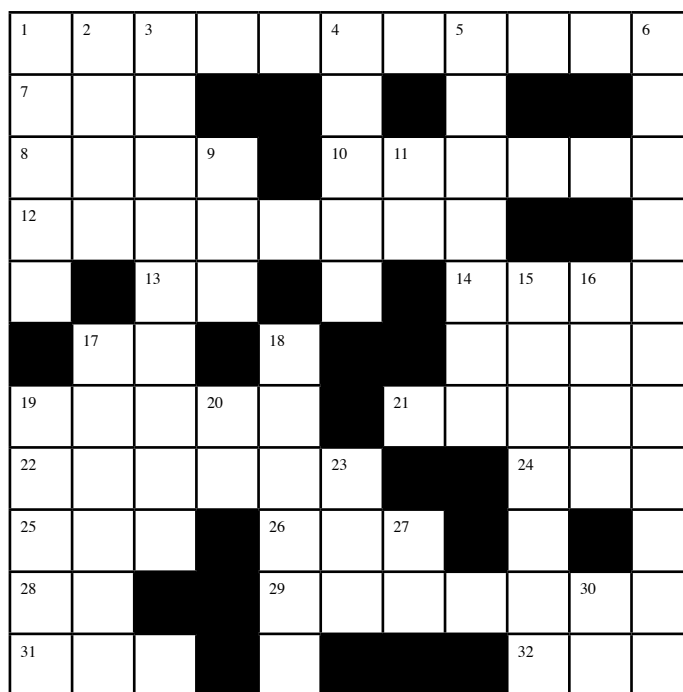
## WINTER GRAIN MITE

In recent years, Oregon State University Extension personnel, growers, and fieldmen have observed damage from winter grain mite (*Penthaleus major*) orchardgrass and Timothy hay grown in Central Oregon. The winter grain mite is not a new pest to the area, but populations had remained below economic damage thresholds in the past. During the last four years, mite populations have been steadily increasing and damage has surpassed economic loss thresholds in many fields. Uncontrolled winter grain mite feeding has resulted in death of large areas of established pastures and hay fields. Two years of income can be lost before a new field can be fully reestablished.

No registered insecticides with known economic efficacy against the winter grain mite are currently available for use on grasses grown for hay/pasture. One product, Mustang Max Insecticide with zeta-cypermethrin, was identified in 2004 as being a possible control.

Due to a warm, dry winter this year, the winter grain mite feeding period arrived 3-4 weeks earlier than anticipated, preventing a complete specific exemption request in time to meet this urgent need for control. To address this situation, the Oregon Department of Agriculture enacted a crisis exemption for the use of Mustang MAX® Insecticide, EPA Reg. No. 279-3249, to control the winter grain mite in grass hay/pasture fields in Crook, Deschutes, Jefferson, and Wasco counties. The exemption is in effect only from February 28 through May 1, 2005, and allows up to two (2) applications of Mustang MAX® at the rate of 4 fl. oz. per acre by using ground equipment only. Single-species grass hay or pasture, mixed-species grass hay or pasture, and mixed grass/alfalfa hay or pasture fields may be treated under the crisis exemption.

## CROSSWORD PUZZLE



### Across

1. Federal Insecticide Fungicide and \_\_\_\_\_ Act.
7. Valuable minerals can be extracted from this raw form.
8. Will not cause harm.
10. Dermaptera.
12. Phenoxys can cause plant tissue to do this.
13. Measure of toxicity \_\_ 50.
14. 1996 federal law for pesticides and food.
17. Spanish for "yes."
19. The width of a spray nozzle or group of nozzles.
21. Pest of domestic pets.
22. When a registrant does not want to register a product.
24. Pesticides that do not require mixing.
25. Quantity (abbrev).
26. Type of grass or bread.
28. A record before CDs.
29. Poisonous spider.
31. Pesticides are easily absorbed into this body part.
32. Help

### Down

1. Portland flowers.
2. Exposure type if swallowed.
3. Pesticide that removes leaves.
4. What you must do for severe pest problems.
5. Be \_\_\_\_\_ when working with pesticides.
6. Cockroaches lay these.
9. Turn around when you reach the \_\_\_\_ of the row.
11. Preposition of location.
15. Oak Genus.
16. Type of moss.
17. After a good rain, a field may become \_\_\_\_\_.
18. Salem fruit.
19. Homopteran pest.
20. Termiticide liquid.
23. Ingredient in drain cleaners.
27. Pesticide liquid formulation.
30. To a great extent.

## UPCOMING RECERTIFICATION CLASSES

*Search our web site for the most up-to-date recertification class information- <http://oregon.gov/ODA/PEST>*

Date	City, State	Title	Credits	Sponsor	Phone Number
4/19/05	Little Rock, AK	IFC Pest Prev In Food Est	8	Paul E. Laughlin	(913) 782-7600
4/21/05	Salem, OR	CCC Forestry Review	8	D Craig Anderson	(503) 399-5139
4/22/05	White City, OR	RCC Pesticide Laws & Safety Tng	4	Jeanne Howell	(541) 245-7909
4/26-4/28/05	Pray, MT	WSWS 2005 Nox Weed Mgt	15	Melissa Brown	(406) 431-7962
4/27/05	Chico, CA	PAPA Pesticide Applic Tng	5	Charlotte Carson	(916) 395-7579
4/27/05	Salem, OR	CCC Structural Pest Ctl	12	D Craig Anderson	(503) 399-5139
4/28/05	Charlottesville, VA	Degesch Fumigation Smnr.	8	George Luzaich	(540) 234-9281
4/28/05	Portland, OR	OROSHA WPS 401 Core Training	4	Reggie Robb	(503) 947-7443
4/28/05	Portland, OR	OROSHA Hazcom Training 205	3	Reggie Robb	(503) 947-7443
4/30/05	Salem, OR	CCC Private Applic Tng	6	D Craig Anderson	(503) 399-5139
5/3/05	Eugene, OR	OROSHA WPS 401 Core Training	4	Reggie Robb	(503) 947-7443
5/4-5/5/05	Salem, OR	CCC Pest Laws & Safety	9	D Craig Anderson	(503) 399-5139
5/7/05	Salem, OR	CCC Plant Disease Mgt	4	D Craig Anderson	(503) 399-5139
5/12/05	Bend, OR	OROSHA WPS 401 Core Training	4	Reggie Robb	(503) 947-7443
5/12/05	Bend, OR	OROSHA Hazcom Training 205	3	Reggie Robb	(503) 947-7443
5/13/05	White City, OR	RCC O/T Insect/Fungicide Tng	4	Jeanne Howell	(541) 245-7909
5/19/05	Salem, OR	CCC Forestry Veg Mgt	5	D Craig Anderson	(503) 399-5139
5/21/05	Salem, OR	CCC WDO Insp & Eval	6	D Craig Anderson	(503) 399-5139
5/26/05	Medford, OR	OROSHA WPS 401 Core Training	4	Reggie Robb	(503) 947-7443
5/26/05	Medford, OR	OROSHA Hazcom Training 205	3	Reggie Robb	(503) 947-7443
6/3/05	Salem, OR	CCC Core Ag Worker Safety	4	D Craig Anderson	(503) 399-5139
6/3/05	Vancouver, WA	Clark College Enviro Mgt Crs	15	Herbert Orange	(360) 992-2352
6/3/05	White City, OR	RCC O & T Herbicide Tng	4	Jeanne Howell	(541) 245-7909
7/13/05	Beaverton, OR	OROSHA WPS 401 Core Training	4	Reggie Robb	(503) 947-7443
8/3/05	Salem, OR	OROSHA Hazcom Training 205	3	Reggie Robb	(503) 947-7443
8/16-8/17/05	Kansas City, MO	AIB/FISA Recert Smnr	13	Paul E. Laughlin	(913) 782-7600
8/24/05	Lakeview, OR	OROSHA WPS 401 Core Training	4	Reggie Robb	(503) 947-7443
8/24/05	Lakeview, OR	OROSHA Hazcom Training 205	3	Reggie Robb	(503) 947-7443
9/14/05	Portland, OR	OROSHA WPS 401 Core Training	4	Reggie Robb	(503) 947-7443
9/14/05	Portland, OR	OROSHA Hazcom Training 205	3	Reggie Robb	(503) 947-7443
11/8/05	Little Rock, AK	IFC Pest Prev In Food Est	8	Paul E. Laughlin	(913) 782-7600

*Although we have done our best to ensure the accuracy of this list, please call the contact person to confirm dates and credits ahead of time. Credits listed reflect the maximum level based on full attendance.*

### SEARCH FOR A PRODUCT

Looking for a pesticide product that meets your needs? Information on all pesticide products currently registered for use in Oregon is available on-line through Washington State University's PICOL (Pesticide Information Center On-Line) label database. The label information in PICOL is searchable by any combination of crop, pest, product name, EPA number, intended user, ingredient, and/or registrant, just to name a few. The web interface allows both simple and advanced queries and displays the results in tabular format. PICOL also allows you to search for tolerances.

To get to the PICOL database, go to the pesticides division home page <http://oregon.gov/ODA/PEST>, then follow the links to "Pesticide Products" and "Search for Pesticides by Crop/Pest"

### DITCHBANKS DEFINED

Recently, ODA has received inquiries to find out what herbicides can be used to treat the banks of irrigation canals or ditches. The callers were particularly interested in products labeled for "noncrop" use, such as Valent/Select 2EC (clethodim) or Syngenta/Fusilade (fluazifop). According to EPA, "agricultural water and ditches" and "agricultural drainage water and ditches" are aquatic, NOT noncrop. Since banks are considered part of the ditch, these types of products may not be used on the banks of irrigation canals or ditches, unless these sites are also stated on the label. ODA acknowledges that some labels, in error, have these aquatic sites listed under noncrop.

To add to the confusion, some products, such as BASF/

## UPCOMING INTERNET CLASSES

Type	Title	Credits	Sponsor	Phone Number
Online	OROSHA Hazcom 205 Online Trng	3	Reggie Robb	(503) 947-7443
Online	OROSHA PPE 203 Online Training	3	Reggie Robb	(503) 947-7443
Online	Pestnetwork Applicator Safety	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Carpenter Ants	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Environmental Protection	1	Charles Cole	(512) 990-3216
Online	Pestnetwork EPA & Applicators	1	Charles Cole	(512) 990-3216
Online	Pestnetwork FIFRA Tng	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Grasshoppers	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Greenbug	1	Charles Cole	(512) 990-3216
Online	Pestnetwork ID Cockroach	1	Charles Cole	(512) 990-3216
Online	Pestnetwork IPM Facets	1	Charles Cole	(512) 990-3216
Online	Pestnetwork IPM Field Crops	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Managing Drift	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Pesticide Families	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Small Vert Pests	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Sucking Pests Orna	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Turf Pest Control	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Wood Beetle No Reinfest	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Wood Beetle Reinfest	1	Charles Cole	(512) 990-3216
Correspondence	Purdue Food Plt Pest Mgt	15	Jennifer Towler	(765) 494-2748
Correspondence	Purdue Pest Mgt Tech	15	Jennifer Towler	(765) 494-2748
Correspondence	Purdue U. Advanced IPM	15	Jennifer Towler	(765) 494-2748
Correspondence	Purdue U. Intermediate IPM	15	Jennifer Towler	(765) 494-2748
Correspondence	Purdue U. Turfgrs Pest Mgt	15	Jennifer Towler	(765) 494-2748
Correspondence	Purdue U. Termites - Wood Destroy	15	Jennifer Towler	(765) 494-2748
Online	WSU Beneficial Insects	1	Carol Ramsay	(509) 335-9222
Online	WSU Ingt'd Nox Weed Mgt	1	Carol Ramsay	(509) 335-9222
Online	WSU Intro To Public Hlth Pest	1	Carol Ramsay	(509) 335-9222
Online	WSU Pesticide, Wldlf & Lbls	1	Carol Ramsay	(509) 335-9222
Online	WSU Plt Problem Diagnosis	1	Carol Ramsay	(509) 335-9222
Online	WSU Weed ID Mgt Pt 1	1	Carol Ramsay	(509) 335-9222

Habitat, allow direct application to the water in irrigation canals or ditches, but not to the dry banks.

Check the label of the product you plan to use and make sure that the exact site you plan to treat is stated on the label. Some examples of products for ditchbank use include: Bayer/Finale (glufosinate) on ditch banks and dry ditches in recreational and public areas, various glyphosate-containing products, Mycogen/Scythe (Pelargonic Acid) on dry ditches/canals and ditch banks, various diuron containing products (rainfall/water requirements), Monsanto/ Outrider (sulfosulfuron) on dry ditches/canals and ditchbanks, Dow/Redeem R&P on non-irrigation ditchbanks, and Syngenta/Solicam on ditchbanks above the high water line (Farmstead use).

Before investing in a product that you think you can use, review a copy of the product label. Call ODA if you need clarification. OSU-Extension is an excellent resource if you have questions concerning efficacy.

## PESTICIDE DISPOSAL NEWS

On April 21st, Marion County opens a permanent household hazardous waste facility at the Salem-Keizer Recycling and Transfer Station. In addition to serving households, the facility will take small amounts of waste generated by businesses. Call 1-800-444-4244 to schedule an appointment or find out about costs.

DEQ 2005 Waste Collection Dates:

La Grande 4/22, Ontario 4/29, Roseburg 5/6, Lakeview 5/20, Prineville 6/3, Bandon 8/26

To Schedule, call MSE Environmental at 1-206-767-7990.



*Pesticides Superhero Guy says: Use Personal Protective Equipment (PPE) to reduce your exposure to pesticides. Required PPE is listed on the label!*

## 24(C) OR SPECIAL LOCAL NEED (SLN) PESTICIDE REGISTRATIONS

*Activities from January 2005 - April 2005*

Granted					
Registrant	Product	Crop	Pest	EPA Reg #	OR SLN #
Syngenta	Touchdown HiTech	winter squash	weeds	100-1182	OR-050006
Crompton	Rimon 0.83EC	apple	codling moth	66222-35-400	OR-050007
Syngenta	Dual Magnum	rhubarb (dormant and post harvest)	weeds	100-816	OR-050001
Syngenta	Subdue MAXX	nursery sites, certain landscape and forested situations and Christmas tree plantations	sudden oak death	100-796	OR-050004
AMVAC	Discipline 2EC	Christmas trees	spruce spider mite & root weevil	5481-517	OR-050005
Bayer	Rovral Brand 4 Flowable Fungicide	crimson & red clover grown for seed	black stem & sclerotinia crown rot /wilt	264-482	OR-050002
Bayer	Rovral Fungicide	crimson & red clover grown for seed	black stem & sclerotinia crown rot /wilt	264-453	OR-050003
Makhteshim-Agan	Diazinon AG500	potatoes		66222-9	OR-050008
Syngenta	Tilt	mint	peppermint rust	100-617	OR-050011

Canceled						
Registrant	Product	Crop	Pest	EPA Reg #	OR SLN #	Reason
BASF	Cabrio EG Fungicide	brassica crops grown for seed	alternaria leaf & pod spot, ringspot	7969-187	OR-030011	On main label
Aventis	Rely Herbicide	potato desiccation	reduce plant back restriction to grain	264-652	OR-020022	On main label
Gowan	Onager 2E	mint	mites	10163-253	OR-020017	On Gowan OR-040033
Aventis	Aventis Rovral brand 4 Flowable Fungicide	brassica/cruciferae crops grown for seed	alternaria leaf /pod blight and sclerotinia white rot	264-482	OR-020010	On Bayer OR-040031
Aventis	Alliette WDG Fungicide	hops	downy mildew	264-516	OR-020013	On Bayer OR-040018
Novartis	Tough 5EC	chickpeas/garbanzo bean	weeds	100-880	OR-990028	Not in production
DuPont	Velpar DF herbicide	Christmas trees (aerial)	weeds	352-581	OR-990024	On main label
DuPont	Velpar L herbicide	Christmas trees (aerial)	weeds	352-392	OR-990023	On main label
Valent U.S.A.	Orthene 75 WSP	cranberries	blackheaded fireworm & rootweevils	59639-89	OR-970007	On Valent OR-970006
Drexel	Dimethoate 4EC	cherry	cherry fruit fly	19713-231	OR-970004	On main label
Gowan	Metasystox-R spray concentrate	strawberries	aphids	10163-220	OR-940053	Not in production
Platte/UAP	Syllit 65W	ornamentals	various diseases	55260-5-34704	OR-020005	Registrant Decision
Gustafson	Vitavax 34 flowable	Easter lily bulbs & corms	rhizoctonia root rot	400-107-7501	OR-900027	On main label
Haco	Ramik Brown	orchard	mice	2393-497	OR-760036	On HACCO main label
Rohm and Haas	Kerb 50W	Christmas trees (aerial)	ann/per. grass, susc. broadleaf weeds	707-159	OR-830013	On Dow OR-040029
FMC	Spartan Herbicide	mint	weeds	279-3189	OR-040024	SLN Expired
Bayer	Admire 2 Flowable Insecticide	grapes	leafhoppers & mealybugs	264-758	OR-040032	On main label

Pending					
Registrant	Product	Crop	Pest	EPA Reg #	
HACCO	Prozap Zinc Phosphide Pellets	grass grown for seed	voles, mice & ground squirrels	61282-49	
HACCO	Prozap Zinc Phosphide Pellets	cottonwood/hybrid poplar	voles, mice	61282-49	
Arvesta	Everest 70% Water Dispersible Granular Herbicide	bluegrass grown for seed	wild oats	66330-49	

### REMINDER TO PESTICIDE DEALERS

Restricted-use pesticides (RUPs) may only be sold to licensed pesticide applicators and consultants with the R&D endorsement. Consultants may only purchase RUPs for use in demonstrations or experiments and should not be

allowed to purchase RUPs for personal use (for example, if they have a farm). Large quantity orders should therefore be questioned. Trainees may not purchase RUPs. Licensed applicators can have an agent (such as a trainee or hired hand) pick up RUPs, but the applicator's license number must be recorded for the sale.

## RECENT PESTICIDE CIVIL PENALTIES ISSUED

Party Cited	Violation	Fine	Disposition
DOA Ecological Pest Elimination	ORS 634.372(9) X 2; No pesticide operator license and employing an unlicensed pesticide applicator	\$3,840	Final order issued
Mark A. Parsons	ORS 634.372(8) No pesticide applicator license	\$840	Final order issued
Those Killer Guys	ORS 634.372(5) Refuse or neglect to prepare records, ORS 634.372(9) No pesticide operator license	\$720	Issued
Ryan A. Karr	ORS 634.372(8) No pesticide applicator license	\$340	Final order issued

## RECENT FERTILIZER NOTICES OF VIOLATION

Party Cited	Violation	ORS Section	Disposition
Bay Zinc Company, Inc.	Sell, offer for sale, or distribute a mislabeled agricultural mineral product.	633.366(1)(a)	Final Order Issued
Milwaukee Metropolitan Sewerage District	Make false or fraudulent applications, records, invoices, or reports.	633.366(1)(g)	Final Order Issued
	Fail, refuse, or neglect to file an accurate semiannual tonnage statement with the Department as required under ORS 633.461.	633.366(1)(m)	Final Order Issued
	Fail, refuse, or neglect to pay inspection fees required under ORS 633.461	633.366(1)(n)	Final Order Issued
True Value Company (aka TruServ Corp.)	Sell, offer for sale, or distribute unregistered fertilizer, agricultural mineral, agricultural amendment, and lime products.	633.366(1)(e)	Final Order Issued

## ACTIVE AND PENDING SECTION 18 EXEMPTIONS

Crop	Pest	Product	EPA Reg #	Start Date	End Date
Apples	fire blight	Mycoshield	55146-97	3/15/05	8/1/05
Apples	fire blight	FlameOut	80990-1-4581	3/15/05	8/1/05
Blueberries	mummy berry disease	Indar 75 WSP	62719-421	2/15/05	5/31/05
Cranberries	broadleaf weeds	Callisto	100-1131	4/18/05	10/31/05
Dry bulb onions	onion thrips, western flower thrips	Success	62719-292	Pending	
Ginseng	leaf blight, stem blight	Dithane DF Rainshield	62719-402	Pending	
Grass Hay/Pasture	winter grain mite	Mustang Max	279-3249	2/28/05	5/1/05
Hazelnuts	eastern filbert blight	Orbit Fungicide	100-702	2/15/05	5/30/05
Honey bees	varroa mite, small hive beetle	CheckMite+ Bee Hive Pest Strips	N.R.	2/1/05	2/1/06
Honey bees	varroa mite	ApiLife VAR	N.R.	2/1/05	12/1/05
Hops (baby)	garden symphylans	Mocap EC	264-458	3/1/05	5/31/05
Lentils	aschochyta blight	Mertect LSP Fung.	100-890	1/15/05	6/1/05
Lentils	aschochyta blight	Gustafson LSP	7501-134	1/15/05	6/1/05
Lentils	aschochyta blight	Mertect 340-F	100-889	1/15/05	6/1/05
Mushrooms	green mold	Topsin M 70WP	4581-403	10/1/04	10/18/05
Orchardgrass-seed	western orchardgrass billbug	Capture 2EC	279-3069	3/30/05	11/15/05
Strawberries	broadleaf weeds	Spartan 4F	279-3220	3/15/05	2/28/06
Turnip/rutabaga	cabbage maggot	Regent 4SC	7969-207	Pending	
Winter squash	hairy nightshade, black nightshade	Outlook	7969-156	Pending	

***Continued from Page 8***

every load (if the entire lot is delivered in one load), or once at the end of a multi load lot.

Q: What about record keeping requirements for custom mixed products?

A: Records for custom mixed products must be kept for a period of at least three years after mixing and must include:

- The name and address of the purchaser;

- The date the product was mixed;
- A unique identifier for each mixture; and
- A copy of the product label provided to the customer.

These records must be available for inspection, by either the Department or the customer, during normal business hours.



ODA Pesticide Quarterly  
Pesticides Division

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## CUSTOM MIX FERTILIZER Q&A

Q: So, what exactly is a custom mix fertilizer?

A: A custom mix is a fertilizer, agricultural mineral, agricultural amendment or lime product, each lot or batch of which is mixed according to the specific instructions of, and is ultimately delivered to and used by, the customer. Custom mix products do not require registration with the Department.

Q: Does package size matter?

A: Not a bit. Custom mixes can come in 50 lb. bags, super sacks, 2.5 gallon jugs, shuttles, bulk, etc. Custom mixes can be liquid or dry.

Q: I don't keep an inventory of my bulk blends. Rather, I "custom mix" all of my bulk blends when the customer arrives for pickup. Do I need to register these products?

A: The products are required to be registered if they are promoted, recommended, advertised, or sold to multiple customers.

Q: I have several growers from the same neighborhood who individually specify the exact same blend every year. Could this blend be considered a custom mix?

A: The product is no longer considered a custom mix if it is provided to multiple customers. The product would require registration.

Q: What about product labels?

A: With two exceptions, all labeling requirements that apply to registered fertilizer, agricultural mineral, agricultural amendment, or lime products apply to custom mixed products as well.

The first exception is the heavy metals internet statement. Since custom mixed products do not require registration, no heavy metals data is required to be submitted to the Department and posted on the Department's web site. Therefore, a heavy metals internet statement can not appear on the custom mix label.

The second exception is that a custom mix must be identified with the purchaser's name and a unique identifier (code number, symbol, etc.).

Q: Labeling a bagged custom mix seems reasonably straightforward. How do I label a bulk load?

A: Your bill of lading can be configured to contain all of the necessary label information. Alternatively, a separate product label can be provided. You can provide a label with