

ODA PESTICIDE QUARTERLY

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Oregon Department of Agriculture Pesticides Division

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BUFFER ZONE UPDATE

Nearly a year has passed since injunctive relief was ordered by a U.S. District Court to protect endangered salmon and steelhead in the Pacific Northwest by requiring buffer zones around selected waterbodies. Since that time, EPA has finished the required risk determinations on 54 active ingredients identified in the court order. Most recently, EPA gave a no-effects determination for pendimethalin, removing it from all buffer zone requirements. Bromoxynil, carbofuran, 2,4-D, triclopyr ester, and lindane each had buffer zones lifted for some, but not all, waterways. The EPA determination for malathion continues to require buffers on all affected waterways in Oregon.

Buffer zone restrictions are still required for 26 of the original 54 active ingredients in Oregon. Check the ODA Pesticides Division website <http://oregon.gov/ODA/PEST> for updates and current information on the court order. Maps of the waterways subject to buffer zones are available from this website.

RONILAN EG FUNGICIDE USE ON SNAPBEANS

Applicators in possession of the EPA approved supplemental label for BASF/Ronilan EG Fungicide (EPA Reg. No. 7969-85; active ingredient – vinclozolin) that provides directions for use on snapbeans can apply Ronilan EG Fungicide to snapbeans until September 30, 2005. The supplemental label currently states "Last date for Legal Application is November 30, 2005". However, the EPA approved tolerance for vinclozolin on succulent beans expires September 30, 2005. Therefore, application of Ronilan EG Fungicide to snapbeans after September 30, 2005 is not allowed. Because of staggered plantings, the growing season for snapbeans in Oregon can be from April through August. Therefore, the difference in dates should not be a problem for use on snapbeans in Oregon.

ODA understands that containers of Ronilan EG Fungicide in the marketplace may have various labels that identify use on lettuce, canola or other crops, but do not include snapbeans. ODA further understands that EPA has approved Ronilan EG Fungicide use on snapbeans, and that appropriate supplemental labeling providing directions for use on snapbeans is available. A copy of the supplemental label for use on snapbeans must be in the possession of the user at the time of use on snapbeans. Copies of supplemental labels for snapbeans should be available from BASF until July 15, 2005, and from other product distributors until September 30, 2005.



If additional clarification is required, please contact Rose Kachadoorian or Janet Fults at the Oregon Department of Agriculture - Pesticides Division, at (503) 986-4635.

DIAZINON RESTRICTIONS IN EFFECT

As part of an agreement between the U.S. Environmental Protection Agency (EPA) and diazinon manufacturers to phase out and eliminate all residential uses of the insecticide diazinon, retailers can no longer sell diazinon outdoor non-agricultural use products, including home lawn and garden products, after December 31, 2004. It will be illegal for retailers to sell these products after that date. Consumers, however, may continue to use diazinon products purchased before that date, provided that they follow all label directions and precautions.

Retailers and licensed dealers have several options regarding diazinon:

- Sell current inventories of diazinon lawn and garden products prior to the December 31, 2004 deadline.
- Participate in a buy-back program. Diazinon manufacturers will repurchase from retailers or formulators any unopened, unused supplies of diazinon outdoor non-agricultural use products after December 31, 2004 and before March 31, 2005. If you have questions or need additional information, contact your distributor.
- Dispose of diazinon products that have not been sold to consumers or sold back to the manufacturer. This option should be used only after March 31, 2005 or after manufacturer buy-back programs have ended. Please visit the Oregon DEQ website for more info on waste pesticide disposal: <http://www.deq.state.or.us/wmc/solwaste/rsw.htm>

EPA PENALIZES IONE COMPANY

The Seattle office of the U.S. Environmental Protection Agency (EPA) announced that Morrow County Grain Growers (MCGG), a farm supply company in Ione, Oregon, has agreed to pay \$9,800 in penalties for violating federal pesticide laws.

An Oregon Department of Agriculture inspector discovered the violations during inspections of MCGG's facility in February 2004 and at a farm in The Dalles, Oregon in April 2004. MCGG violated the Federal Insecticide, Fungicide and Rodenticide Act when it improperly repackaged and sold bulk pesticides and improperly reported annual production of bulk pesticides.

The EPA requires dealers to ensure the product integrity of repackaged bulk pesticides. This includes getting written permission from the registrant (the party who ensures that the pesticide has met all EPA labeling and testing requirements), labeling the product correctly so that it contains the most up-to-date information, and repackaging bulk pesticides in appropriate containers. Because the EPA cannot ensure their integrity, products that are improperly repackaged and sold are treated by the agency as unregistered pesticides. Selling unregistered pesticides may lead to penalties of up to \$6,500 per violation.

“One of the foundations of consumer protection is ensuring product integrity for pesticides. Enforcing these re-packaging laws helps ensure that consumers have confidence in the pesticides they buy,” said Mike Bussell, Director of the EPA's Enforcement and Compliance office in Seattle.

NEW WEB SITE ON CHILD-RESISTANT PESTICIDE PACKAGING

To protect children from poisonings around the home, the law requires that certain household pesticides be in child-resistant packaging. Pesticide manufacturers can now access EPA's website: <http://www.epa.gov/opprd001/crp> for details on child-resistant packaging. The website includes criteria for determining whether a pesticide product requires child-resistant packaging, and information on the types of child-resistant packaging available.

DON'T SHARE SIGNATURES

The Pesticides Division accredits many recertification programs annually and obviously cannot be in attendance at all programs. In lieu of us being at each program to take attendance, we send out “sign up” sheets. It is important to sign these sheets if you want to get credit, but it is equally important NOT to sign the sheets for friends or family members.

The sign up sheets are meant to prove that you were actually in attendance at the meeting. Unfortunately, some individuals have tried to sign sheets for friends or family members who were actually not in attendance. We check the sign-up sheets against the signatures we have on file for individuals. If the signature does not match the signature on record, we will deny credits to this individual. Also, if we discover who forged the signature, we can take action against this individual as well.

ILLEGAL USE OF SODIUM CYANIDE

The United States Environmental Protection Agency (EPA) and state departments of agriculture have recently been alerted that some beekeepers have been using sodium



*Pesticides Superhero Guy says:
“Keep all pesticides away from
children and pets”*

cyanide compound to control pests in their honey bee colonies/hives. Specifically, apiarists have been purchasing and using a sodium cyanide compound as a fumigant in beehives to destroy or mitigate wax moths¹ including the caterpillars and larvae, as well as to cull out weaker hives. These practices are illegal and have the potential for serious harm to human health and the environment.

All pesticides distributed in the United States must be registered by the EPA. The Federal pesticide law [the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)] defines “pesticide” to include any substance intended for controlling, mitigating or destroying pests. A substance is a pesticide and requires registration as such if the person distributing the substance (1) makes claims, either expressed or implied, that the substance can be used as a pesticide, (2) distributes the substance with the knowledge that the substance will be used to control pests or (3) there is no other purpose for the ingredient. Any individual selling or distributing sodium cyanide compound for mitigating any pest, including the wax moth, caterpillar and larvae, or any other pest for use in bee hives or colonies is selling and distributing an unregistered pesticide and subject to penalties of up to \$6,500 per violation under FIFRA.

Currently, there are no sodium cyanide or similar cyanide products registered by the EPA for pest control in honey bee colonies/hives. Also, there are no established



residue tolerances for any cyanide compound in honey or beeswax. Honey analyzed and found to contain any cyanide compound residue would be considered adulterated under the Federal Food,

Drug and Cosmetic Act, and could be seized. The seizure of honey due to adulteration with a highly toxic chemical would be detrimental to the entire apiary industry.

Further, use of sodium cyanide in an apiary setting can be extremely dangerous. The compound is highly toxic to humans and other warm-blooded animals, and it is a Toxicity Category I compound - EPA’s highest toxicity level for pesticides. This rating indicates the greatest degree of acute toxicity for oral, dermal, or inhalation effects. It is highly corrosive to the skin and eyes. Cyanide can be absorbed through the skin and its vapor is absorbed extremely rapidly via the respiratory tract.

Beekeepers who are currently in possession of the highly toxic, unregistered sodium cyanide compound or related products should contact Oregon DEQ for instructions on

proper storage and disposal of the product. ODA pesticides Division can provide information on registered pesticides, such as paradichlorobenzene and aluminum phosphide products, that are legal to use to mitigate pests in honey bee colonies/hives.

¹Wax moth includes both the Greater Wax Moth, *Galleria mellonella*, and the Lesser Wax Moth, *Achroia grissella*, both of which are sometimes referred to the wax wing moth.

MSDS: A QUICK LOOK

A Material Safety Data Sheet (MSDS) is a document that provides health and safety information on a particular chemical substance. In the pest control industry, MSDSs are generally associated with pesticide products. These sheets are reference documents for pesticide users or others who work closely with pesticides or respond to pesticide emergencies. The MSDS contains information on health effects, flammability, corrosiveness and other chemical properties for the pesticide.

The MSDS is an integral part of the Hazard Communication Standard administered by OR-OSHA. Under this law, each employer must make MSDSs for all hazardous chemicals available to employees. For more information, contact OR-OSHA.

Read the pesticide label carefully, because it can reference the MSDS. Some phosphide fumigant labels actually require you to hand out these sheets to those who might be near the treatment area. Thus, it is important to have copies of the MSDS for reference and/or distribution even when you are out in the field. If you do not already have an MSDS for a particular pesticide you can usually get them from the retailer, product manufacturer or the internet.

NO PARTIAL CREDIT WILL BE GIVEN

Oregon pesticide license holders attending pesticide recertification training session must stay for the entire training session in order to receive Oregon pesticide recertification credits. This means if a pesticide recertification training session has been accredited as a four hour block, you must stay for the entire session in order to receive four Oregon pesticide recertification credits.



A picture from the archives: I sure am glad that someone invented personal protective equipment!

UPCOMING RECERTIFICATION CLASSES

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

Date	Location	Title	Credits	Sponsor Name	Phone Number
1/3-1/4/05	Portland, OR	OSU/PNW Insect Mgt Conf	V	Joe Defrancesco	(541) 737-0718
1/4/05	Clackamas, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
1/7/05	Aurora, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
1/10/05	Jordan Valley, OR	Malheur Cty Noxious Weed Smr.	4	Gary Page	(541) 473-5102
1/10/05	Hillsboro, OR	OSU Ext Pest Applic Core Tng	4	Susan Aldrich-Markham	(503) 434-7517
1/12/05	Hood River, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
1/12-1/13/05	Pasco, WA	WSU Recert Trng	11	Carol Ramsay	(509) 335-9222
1/18/05	Hillsboro, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
1/18/05	Pocatello, ID	ID Seed Potato Gwr Mtg	2	Colleen Thompson	(208) 522-9198
1/19/05	Portland, OR	Univar/Nisus Applic Tng	2	Sandi L. Reiners	(503) 222-6249
1/20/05	Eugene, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
1/20/05	Pendleton, OR	OSU Ag Crops Winter Weed Wkshp	4	Jed Colquhoun	(541) 737-8868
1/20/05	Pendleton, OR	OSU Ext Col Basin Cereal Smnr	3	Mary Corp	(541) 278-5403
1/21/05	LaGrande, OR	OSU Ag Crops Winter Weed Wkshp	4	Jed Colquhoun	(541) 737-8868
1/24/05	Corvallis, OR	OSU Ag Crops Winter Weed Wkshp	4	Jed Colquhoun	(541) 737-8868
1/25/05	Madras, OR	OSU Ag Crops Winter Weed Wkshp	4	Jed Colquhoun	(541) 737-8868
1/26-1/27/05	Puyallup, WA	WSU 05 Hands-On IPM Wkshp	9	Carrie Foss	(253) 445-4577
1/27/05	Portland, OR	NW Ag Show OAN Smnrs	3	Jasmin Ehmann	(503) 682-5089
1/27/05	Portland, OR	Nut Growers Society Annl Mtg.	1	Polly Owen	(503) 678-6823
2/1/05	Salem, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
2/1-2/2/05	Corvallis, OR	OSU Non-Crop Veg Mgt.	V	Myron Shenk	(541) 737-6274
2/2-2/3/05	Kirkland, WA	WSU IPM Hands On Wkshp	9	Carrie Foss	(253) 445-4577
2/3/05	Aurora, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
2/3-2/4/05	Yakima, WA	WSU Recert Trng	11	Carol Ramsay	(509) 335-9222
2/8/05	Coos Bay, OR	OROSHA Hazcom Training 205	3	Reggie Robb	(503) 947-7443
2/8-2/9/05	Eugene, OR	OSU Ext PNW IPM Short Crs	12	Ross Penhalegon	(541) 682-7313
2/8/05	Salem, OR	SAIF Corp Ag Safety-Spanish	2	Christy Witzke	(503) 373-8377
2/8/05	Oregon City, OR	OSU Ext Urban Pest Mgt.	8	Myron Shenk	(541) 737-6274
2/9-2/10/05	Moses Lake, WA	WSU Recert Trng	10	Carol Ramsay	(509) 335-9222
2/15/05	Ontario, OR	TVCC Private Applic Core Trng	4	Linda Simmons	(541) 881-8822
2/16/05	The Dalles, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
2/17/05	Ontario, OR	TVCC Private Applic Exam Prep	4	Linda Simmons	(541) 881-8822
2/17/05	The Dalles, OR	SAIF Corp Ag Safety-Spanish	2	Christy Witzke	(503) 373-8377
2/22/05	Hillsboro, OR	SAIF Corp Ag Safety-Spanish	2	Christy Witzke	(503) 373-8377
2/23/05	Salem, OR	OROSHA WPS 401 Core Training	4	Reggie Robb	(503) 947-7443
2/23/05	Salem, OR	OROSHA Hazcom Training 205	3	Reggie Robb	(503) 947-7443
2/24/05	Albany, OR	SAIF Corp Ag Safety-Spanish	2	Christy Witzke	(503) 373-8377
2/25/05	White City, OR	RCC Laws & Safety Trng	4	Jeanne Howell	(541) 245-7909
3/7/05	Bandon, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
3/11/05	Aurora, OR	SAIF Corp Ag Safety-Spanish	2	Christy Witzke	(503) 373-8377
3/14/05	Medford, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
3/15/05	Klamath Falls, OR	SAIF Corp Ag Safety	2	Christy Witzke	(503) 373-8377
3/23/05	McMinnville, OR	OROSHA Hazcom Training 205	3	Reggie Robb	(503) 947-7443
4/28/05	Charlottesville, VA	Degesch Fumigation Smnr.	8	George Luzaich	(540) 234-9281

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. Programs with "V" have variable credit depending on how many and which sessions are attended.

UPCOMING RECERTIFICATION CLASSES

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

Date	Location	Title	Credits	Sponsor Name	Phone Number
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
5/3/05	Eugene, OR	OROSHA WPS 401 Core Training	4	Reggie Robb	(503) 947-7443
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
5/26/05	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
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
8/24/05	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

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.

UPCOMING INTERNET CLASSES

Additional internet classes for 2004 are listed on our web site <http://oregon.gov/ODA/PEST>, but must be completed before 12/31/2004

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 Greenbug	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Carpenter Ants	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Applicator Safety	1	Charles Cole	(512) 990-3216
Online	Pestnetwork FIFRA Tng	1	Charles Cole	(512) 990-3216
Online	Pestnetwork EPA & Applicators	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Small Vert Pests	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Managing Drift	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Grasshoppers	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Wood Beetle Reinfest	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 Environmental Protection	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 Sucking Pests Orna	1	Charles Cole	(512) 990-3216
Online	Pestnetwork ID Cockroach	1	Charles Cole	(512) 990-3216
Online	Pestnetwork Pesticide Families	1	Charles Cole	(512) 990-3216
Online	Purdue U. Termites-Wood Destroy	15	Jenny Towler	(765) 494-2748
Online	Purdue U. Advanced IPM	15	Jenny Towler	(765) 494-2748
Online	Purdue U. Intermediate IPM	15	Jenny Towler	(765) 494-2748
Online	Purdue U. Turfgrass Pest Mgt.	15	Jenny Towler	(765) 494-2748
Online	Purdue U. Pest Mgt Tech	15	Jenny Towler	(765) 494-2748
Online	Purdue U. Food Plt. Pest Mgt	15	Jenny Towler	(765) 494-2748
Online	Purdue U. Pest Mgt Tech	15	Jenny Towler	(765) 494-2748

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

Activities from October 2004 - December 2004

Canceled					
Manufacturer	Pesticide Trade Name	Crop	EPA Reg No.	OR SLN No.	Reason
Uniroyal	Comite	potatoes - chemigation	400-104	OR-970012	On Crompton OR-040001
Uniroyal	Comite	alfalfa grown for seed	400-104	OR-940012	On Crompton OR-030020
Uniroyal	Comite	mint	400-104	OR-940013	On Crompton OR-030027
Uniroyal	Omite 6E	conifers	400-89	OR-910009	On Crompton OR-030022
Uniroyal	Comite	corn - sweet	400-104	OR-910019	On Crompton OR-030017
Uniroyal	Comite	seed-sweet corn, clover & carrots	400-104	OR-770013	On Crompton OR-030026
Uniroyal	Comite	sugarbeets grown for seed	400-104	OR-790034	On Crompton OR-030006
Uniroyal	Dimilin 2L	poplar/cottonwood plantations	400-461	OR-020009	On Crompton OR-030018
Aventis	Hoelon 3EC	triticale	264-641	OR-010031	On Bayer Corp. OR-040022
Aventis	Bonate	triticale	264-438	OR-010032	On Bayer Corp. OR-040028
Rohm and Haas	Laredo EC	sugar beets for seed	707-222	OR-010017	On Dow OR-020028
Rohm and Haas	Dithane DF Rainshield	seed vegetables	707-180	OR-020002	On Dow OR-020030
Bayer Corp.	Admire 2 F	hops	3125-422	OR-010014	On main label
Novartis Label	Discover	wheat - spring and winter	100-907	OR-010007	On Syngenta OR-030004
Rohm and Haas	Goal 2 XL	blackberry - nonbearing	707-243	OR-000028	On Dow OR-020026
Uniroyal	Dimilin 2L	alfalfa grown for Seed	400-461	OR-000021	On Crompton OR-030021
Rohm Haas	Goal 2XL	grass seed	707-243	OR-990036	On Dow OR-990036
Novartis	Dual Magnum	meadowfoam - for seed	100-816	OR-990042	On Syngenta OR-040011
Novartis	Dual Magnum	onions -dry bulb	100-816	OR-990027	On Syngenta OR-040009
Novartis	Dual Magnum	alfalfa grown for seed	100-816	OR-990035	On Syngenta OR-040007
Novartis	Dividend XL	spring barley	100-885	OR-990052	On Syngenta OR-030035
Rohm Haas	Goal 2XL	grass grown for seed	707-243	OR-990006	On Dow OR-990006
Rohm Haas	Kerb 50W	grass seed - orchard grass	707-159	OR-990007	On Dow OR-990007
Rohm Haas	Kerb 50W	grass seed -fall carbon seeded	707-159	OR-990008	On Dow OR-990008
Novartis	Dual Magnum	radish seed (except daikon)	100-816	OR-990011	On Syngenta OR-040010
Novartis	Agri-mek 0.15EC	alfalfa grown for seed	100-898	OR-980013	On Syngenta OR-040013
Rohm and Haas	Goal 2XL	blackberry	707-243	OR-960036	On Dow OR-020024
Novartis	Tilt 428GS	peppermint	100-737	OR-960007	On Syngenta OR-040012
Zeneca	Fusilade DX	alfalfa grown for seed	10182-367	OR-950014	On Syngenta OR-040006
Rohm and Haas	Kerb 50W	sugar beets grown for seed	707-159	OR-900004	On Dow OR-020029
Bayer Corp.	Sencor DF 75%	alfalfa	3125-325	OR-850020	On main label
Novartis	Aatrex nine-O	wheat - summer fallow	100-585	OR-800100	On Syngenta OR-040008
Novartis	Princep caliber 90	cherries - sweet	100-603	OR-810080	On Syngenta OR-040014
J.J. Mauget	Imicide	conifer seed orchard	7946-16	OR-030028	On main label
Bayer Corp.	Admire 2 F	hops	264-758	OR-040019	On main label
Pending					
Manufacturer	Pesticide Trade Name	Crop	Pest	EPA Reg No.	
Syngenta	Touchdown	winter squash	weeds	100-1117	
Crompton	Rimon 0.83EC	apple	codling moth	66222-35-400	
Syngenta	Dual Magnum	rhubarb	weeds	100-816	
Syngenta	Subdue MAXX	nursery landscape and Christmas tree	sudden oak death	100-796	

RECENT CIVIL PENALTIES ISSUED

No pesticide civil penalties issued this quarter

RECENT FERTILIZER VIOLATIONS

The following products were found to contain at least one guaranteed ingredient outside allowed levels. Products may contain the guaranteed amounts of other ingredients not listed below.

Registrant	Product Name	Element	Label Guarantee	Lab Analysis
Marion Ag Service	St. Paul Fall Lawn Mix 22-5-15-1.6(Fe)	Total Nitrogen (N)	22.00%	20.1%
		Urea Nitrogen	17.75%	15.9%
		Sulfur (S)	7.00%	6.13%
		Iron (Fe)	1.55%	1.29%
	St. Paul Nursery Field Mix 22-5-10-5(S)	Total Nitrogen (N)	25.00%	24.0%
		Magnesium (Mg)	2.50%	2.05%
	Hart's Nursery New Premix 04	Iron (Fe)	3.91%	3.09%
R & S Nursery Premix	Available Phosphate (P2O5)	6.00%	1.26%	

The following Notices of Violation were issued.

Party Cited	Violation	ORS Section	Disposition
Balcom Chemicals, Inc. aka Nortrace, Ltd.	Sell, offer for sale, or distribute unregistered fertilizer and agricultural mineral products.	633.366(1)(e)	Final Order Issued.
J. R. Simplot Company	Sell, offer for sale, or distribute unregistered fertilizer and agricultural amendment products.	633.366(1)(e)	Final Order Issued.
Na-Churs Plant Food Company aka Na-Churs / Alpine Solutions	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.
Platte Chemical Company	Sell, offer for sale, or distribute unregistered fertilizer products.	633.366(1)(e)	Final Order Issued.

CIVIL PENALTY ISSUED BY FERTILIZER REGULATORY PROGRAM

A civil penalty in the amount of \$150,000 has been issued to Voluntary Purchasing Group, of Bonham, TX, for distributing unregistered fertilizer products in Oregon. This enforcement action was based upon investigations conducted by Pesticides Division staff in 2002, 2003 and 2004. The firm has had many pesticide and fertilizer products registered as required by Oregon statutes. However, a September 2002

investigation found two fertilizer products being distributed in Oregon without the required registration. Enforcement actions taken against the firm by the Department between September 2002 and May 2004 regarding these and other unregistered products found included two Notices of Non-Compliance, two Stop Sale, Use or Removal Orders and a Notice of Violation. Investigation of this firm's activities documented 60 separate shipments of eight unregistered fertilizer products into Oregon between January 2003 and May 2004.

ACTIVE AND PENDING SECTION 18 EXEMPTIONS

Crop	Pest	Pesticide Trade Name	EPA Reg No.	Status	Dates
Hazelnuts	Eastern filbert blight	Orbit Fungicide	100-702	Pending	
Honey bees	Varroa mite, small hive beetle	CheckMite+ Bee Hive Pest Strips	N.R.	Active	2/1/04-2/1/05
Lentils	Aschochyta blight	Mertect LSP Fung.	100-890	Pending	
Lentils	Aschochyta blight	Gustafson LSP	7501-134	Pending	
Lentils	Aschochyta blight	Mertect 340-F	100-889	Pending	
Mushrooms	Green mold	Topsin M 70WP	4581-403	Active	10/19/04-10/18/05
Strawberries	Broadleaf weeds	Spartan 4F	279-3220	Active	3/15/04-2/28/05
Wheat	Annual ryegrass (Hoelon-resistant)	Axiom DF	3125-488	Active	10/1/04-12/31/04



ODA Pesticide Quarterly
Pesticides Division

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UPDATE ON ORS 634 PROPOSALS

Mention has been made in previous newsletters about the department's intent to ask the 2005 Oregon Legislature to amend certain sections of the Oregon Pesticide Control Act, contained in Oregon Revised Statutes – Chapter 634 (ORS 634). Since the last newsletter, ODA has withdrawn the concept of seeking any changes to this law during the 2005 Oregon Legislative Session.

One proposal was to raise the maximum amount for fees that may be charged (cap). However, actual revenues for July 1, 2003 to June 30, 2004 were higher than anticipated, mainly due to an increase in pesticide products registered. In addition, overall expenses for this period were less than had been previously projected. The numbers suggest that, at least for now, the base pesticides program is in a better financial situation than previously thought. However, based

on financial projections, ODA continues to be concerned that the base program maintain adequate funding and anticipates that some fee increases might be necessary in the future.

ODA submitted several other portions of ORS 634 to the Legislative Counsel for possible amendment. ODA had not intended to propose a major re-write of ORS 634. However, Legislative legal counsel returned a draft of ORS 634 that had the appearance of a major re-write of the statutes. Rather than proceed with an apparent re-write of ORS 634, ODA selected to withdraw the concept of seeking any changes to ORS 634.

Individuals or groups seeking action on ORS 634 by the Legislature should not be impacted by this decision. Staff continue to be available to discuss and review drafted language for individuals or groups to take to the legislature for consideration.