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ALABAMA A & M AND AUBURN UNIVERSITIES

Pesticide Management To Protect Water Quality Regulating Pesticide Registration And Tolerances

The Federal Food, Drug, and Cosmetic Act (FFDCA) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) provide the Environmental Protection Agency (EPA) with pesticide regulatory powers.

FFDCA—Establishing Pesticide Tolerances

Under FFDCA, EPA established the maximum levels of pesticides allowed in food and feed—termed “tolerance” levels—aimed at protecting human health while allowing for the production of an “adequate, wholesome, and economical food and feed supply for humans and animals.” Food-use pesticides must have valid tolerances before being registered for food uses in the United States.

FIFRA—Registering Pesticides For Use

FIFRA authorizes EPA to register pesticides prior to their sale or use in the United States and to remove unreasonably hazardous pesticides from the marketplace. Under FIFRA, EPA can register a pesticide only if it determines that the pesticide will perform its intended function without causing “any unreasonable risk to people or the environment, taking into account the economic, social, and environmental costs and benefits of the use of [the] pesticide.” Thus, FIFRA focuses on balancing the inherent risks and benefits of pesticide use.

What Registration Means

When the Environmental Protection Agency registers a pesticide for use in the United States, that product is designated for either “general use” or “restricted use.” Restricted-use pesticides will bear a statement similar to the following:

Restricted Use Pesticide

For use only by certified applicators or persons under the supervision of a certified applicator.

The Alabama Department of Agriculture and Industries may, in special circumstances, restrict a pesticide in addition to those which are federally restricted. In such a case, the pesticide may not bear the

above statement. For a complete list of restricted-use products, check with your pesticide dealer or your county Extension agent.

Types Of Applicator Certification

FIFRA distinguishes between commercial and private applicators. Private applicators supervise the use of pesticides on property owned or leased by them or their employers for the purpose of producing an agricultural commodity. Commercial applicators include all other certified applicators. The EPA has established rules and procedures that must be followed by the state for certifying both groups.

Private Applicator Certification. Applicants for private applicator permits must attend a training session on the safe and proper use of pesticides. This training is available through each county Extension office. Following the training, the county agent will sign a permit application signifying that the applicant attended the required training. The applicant must also sign the application, pledging his or her intent to use pesticides according to label directions. The application can then be submitted to the Alabama Department of Agriculture and Industries for consideration.

Private pesticide applicator certification is valid for 3 years. The recertification process is identical to that for initial certification. The first four digits of a private applicator’s permit number indicate the month and year the permit expires. Required competency testing for private applicator certification will probably be mandated in Alabama in the near future. Some states have it already.

Commercial Applicator Certification. Commercial applicators must prove their competence with pesticides by passing written examinations prepared for each category of applicator. Examples of commercial applicator categories are Forest Pest Control, Right-of-Way, Ornamental and Turf, and Aerial Application. Contact the Alabama Department of Agriculture and Industries for information regarding which exams are necessary and for exam schedules. Prior registra-

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tion is required for some exams. Contact the Alabama Cooperative Extension System for study materials.

Recertification for commercial applicators is accomplished using a point system. Commercial applicator certification is valid for 3 years. If, at the end of that 3-year period, an applicator has accumulated at least fifty points, his or her certification will be renewed. Points are earned by maintaining a misuse-free record and by attending approved education meetings. Recertification points may be deducted in cases of pesticide misuse. If an applicator fails to accumulate the necessary points for recertification, he or she may become recertified by passing the required exams.

Strengthening Pesticide Laws

A trend is underway at both the national and state levels to strengthen legislation concerning pesticides. Some areas that have been or may be affected are as follows:

Requirements For Private Applicator Certification. Unlike commercial pesticide applicators, private applicators are not required to take a written exam, but that could change in the near future. There is a move at the national level to require some type of examination for private applicators. And many states are adopting that position.

Penalties For Misuse Of Pesticides By Private Applicators. In 1991, civil penalties were imposed at the state level in Alabama for the misuse of pesticides by private applicators. Until then, the regulation of pesticide use had been limited to issuing letters of warning. However, regulations passed by the Alabama legislature in February 1991 clearly spell out civil penalties that may be levied against private applicators. The maximum penalty for the misuse of a restricted-use pesticide is \$10,000, and the maximum fine for misusing a nonrestricted-use chemical is \$5,000. The maximum penalty for using or having in your possession a restricted-use pesticide without the required use permit is \$3,000. These are the only areas of civil penalty provisions that affect private applicators.

Record-Keeping Of Restricted-Use Pesticide Applications. Effective January 1, 1992, everyone who applies restricted-use pesticides must keep a record of each application. These records must be made available to federal and state regulators for a period of 2 years. Product name, application date, and location of treated field must be recorded.

Other information pertinent to pesticide application includes wind, weather, and field conditions. Keeping track of each field's treatment history can protect a farmer if there is ever a question about how agricultural chemicals have been used.

Sources Of Pesticide Information

Alabama Department of Agriculture and Industries

Toll-Free Hotline	1-800-321-0018
Agricultural Chemistry Division (Dr. John Bloch)	334-242-2631
Alabama Pesticide Residue Lab	334-844-4705

Alabama Cooperative Extension System

For study materials for commercial exams (Extension Pesticide Coordinator)	334-844-6390
Entomology (Department Head)	334-844-5006
Plant Pathology (Department Head)	334-844-5003
Agronomy (Department Head)	334-844-4100
Plant Diagnostic Lab (Lab Director)	334-844-5508

Alabama Department of Environmental Management

Hazardous Waste Branch	334-271-7737
Field Operations Division (to report spill)	334-271-7931

Environmental Protection Agency

Regional Office (Atlanta)	404-347-3222
Field Inspector (Montgomery)	334-223-7440

Alabama Poison Control Centers

Druid City Hospital, Tuscaloosa	800-462-0800
Children's Hospital, Birmingham	800-292-6678
Vanderbilt Hospital (north Alabama)	800-288-9999

Superfund Amendments and Reauthorization Act

(S.A.R.A.) Hotline

(for free S.A.R.A. Title III reprints)	800-535-0202
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Chemtrec

(24-hour chemical emergency information regarding proper cleanup and safety procedures)	800-424-9300
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National Pesticide Telecommunications Network

(for medical and consumer information)	800-858-7378
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Chemical Referral Center

(referrals to manufacturers on health and safety matters, weekdays only, 9 a.m. to 6 p.m. EST)	800-262-8200
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Local Emergency Planning Coordinator

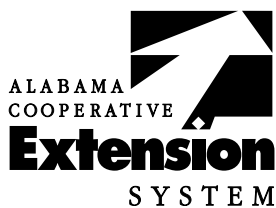
County Extension Office

Local Pesticide Dealer

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Olexa, M. T. 1990. Laws Governing Use And Impact Of Agricultural Chemicals: An Overview. Circular 887. Florida Cooperative Extension Service. University of Florida. Gainesville, FL.

Pesticides: EPA's Use Of Benefit Assessments In Regulating Pesticides. 1991. GAO/RCED-91-52. U.S. General Accounting Office. Resources, Community, and Economic Development Division. Washington, DC.



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For more information, call your county Extension office. Look in your telephone directory under your county's name to find the number.

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