

ODA PESTICIDE BULLETIN

Issue XXIX

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Oregon Department of Agriculture Pesticides Division

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PESTICIDE USE REPORTING RETURNS

The 2005 Oregon Legislature provided funding and guidance for the Oregon Department of Agriculture to operate the Oregon Pesticide Use Reporting System (PURS) for the 2005-2007 biennium. A total of \$1.9 million has been provided for final development and operation of PURS for the biennium. About one-half of these funds come from "general funds" (tax dollars). The balance comes from an annual fee of \$40 per pesticide product paid by the companies that register these products for use in Oregon.

As a result of the Legislature's action, the department will be conducting public hearings in coming months to amend current administrative rules and address the statutory changes made to PURS. As new information on PURS becomes available it will be posted on the web at <http://oregon.gov/ODA/PEST>.

Here are some frequently asked questions regarding PURS:

When should I begin keeping records of the pesticide use information to be reported?

Beginning January 1, 2006, you should keep records of your pesticide use. We presently expect that the system to report your pesticide application information will be available during 2006, but likely not until mid-year. The department will post forms on our website that can be printed to help you keep your records of pesticide use until the electronic reporting system becomes available.

Will I need to report my use of pesticides in 2005 or earlier years?

No. The current PURS will begin with 2006 data (pesticide use from January 1, 2006 to December 31, 2006).

When and how will I be able to report my pesticide use into PURS?

We presently expect the system for receiving your pesticide use information will be available for input during 2006, but likely not until mid-year. As was the case previously, the system will be electronic, requiring reporting to PURS via the internet. A special web site will be made available for reporting. There are no provisions to accept written reports.

What information will I need to report to PURS?

All the information previously required will continue to be required. Forms posted on the department web site clearly



Pesticide reporters will now provide location information on a watershed or ZIP code basis (watersheds shown above).

identify the needed information. However, location of pesticide use will now be reported in one of two ways. If the use occurred within an “urban area”, location will be reported by the five-digit zip code for the site. “Urban area” has yet to be defined, but may be something like “within city limits”. The ODA will define “urban area” through the rulemaking process. If the use occurred outside an “urban area”, location will need to be reported by the name of the water basin for the site. A map of the 15 water basins that will be used in PURS is shown on page 1. This map will also be posted on the department web site for PURS.

Will homeowners have to report their pesticide use?

Homeowner, or household, use of pesticides is part of PURS. This information will be obtained through a detailed, comprehensive survey rather than through direct reporting.

Is PURS permanent?

Like all biennial appropriations, the current funding for PURS has been approved for the next two years. The 2007 Oregon Legislature will need to authorize funding for the next biennium. The “sunset” date for PURS is December 31, 2009. Legislative action would be required for the program to continue into 2010 and beyond.

How do I get more information about PURS?

The best source for general information on PURS will be the department’s web site at <http://oregon.gov/ODA/PEST>. As information regarding PURS becomes available it will be posted to this site. Department staff will be available to make presentations at industry meetings. You can always call the Pesticides Division at 503-986-4635 if you have questions.

TRAINEE EXAM IN SPANISH

The Pesticides Division is in the final stages of releasing the Directly Supervised Trainee qualification exam in Spanish. The exam should be distributed to testing centers in the near future and will be made available to those who would prefer to test in Spanish. Please contact your local testing center to find out availability and to schedule testing.

REGISTRATION FEES TO INCREASE

The cost to register pesticides for sale or distribution in Oregon will increase for 2006 to \$160 per product. The department will use the additional \$40 per product for administration of the state’s pesticide use reporting system. Pesticide applicator, trainee, consultant and dealer license fees will remain the same for 2006.

A NEW LOOK FOR YOUR 2006 LICENSE

ODA is currently upgrading our pesticide licensing software and database. While we don’t anticipate any major problems, we do expect a few wrinkles along the way and ask that you be patient with us during this transition. To minimize confusion, we are keeping your existing pesticide license number(s) the same, but it will look a little different.

On the 2006 license certificate (the upper tear off portion that says “POST THIS LICENSE IN A CONSPICUOUS PLACE”), the pesticide license number will have seven numeric digits with leading and ending letters instead of the current number-only sequence of six digits.

For example: Current number: 01234

New “number”: AG0001234CPA

The license number as you know it will remain the same with one or two additional zeros in front. The leading zeros before the number simply act as placeholders for new licenses in the future. The leading letters (AG) refer to the Agency issuing the license, (in our case, Department of Agriculture) and the letters on the end of the license number refer to the type of license issued (the license example above is for a Commercial Pesticide Applicator- CPA).

The new licensing system should improve service for our customers. With this newer system, we will eventually be able to offer more options for renewing licenses, including web-based renewals, electronic payments, and/or renewal of multiple licenses at once. In the near future however, we expect the system to function much like the current system does.

Your support and patience in this effort will make the transition easier and faster. Please remember, if you find something just doesn’t work or needs to be improved, please let us know and we will try to correct it as quickly as possible. We foresee that the new system’s benefits will be worth the effort!

WPS ON THE WEB

EPA National Agriculture Compliance Assistance Center has developed an informational website on the Worker Protection Standard (WPS). It provides a comprehensive collection of documents to help growers and commercial operators that may be subject to the WPS requirements:

<http://www.epa.gov/agriculture/twor.html>

Be sure to check out their WPS fact sheets:

<http://www.epa.gov/agriculture/factsheets/index.html>

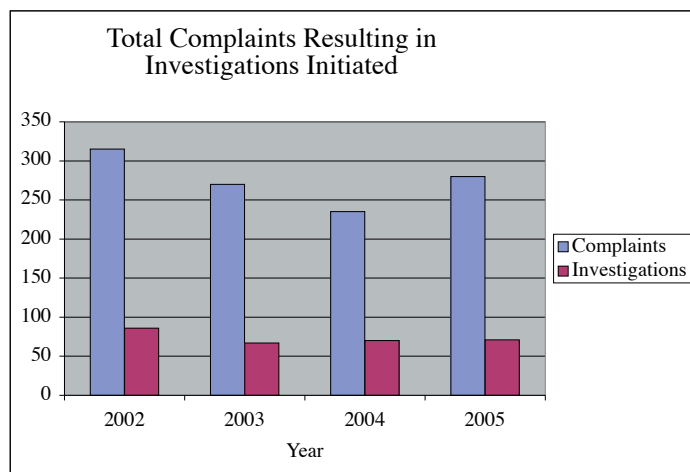
PESTICIDE INVESTIGATION & ENFORCEMENT 2005 SUMMARY

The Pesticides Division investigative staff conducts a variety of pesticide regulatory activities including routine compliance monitoring, routine use investigations and complaint-initiated investigations. The Pesticide Investigation & Enforcement Program's primary goal is to assure compliance with Oregon Revised Statutes, Chapter 634 (ORS 634 – Pesticide Control Law) and the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Pesticide investigative staff from the Salem headquarters, along with field offices in Central Point and Hermiston, conduct compliance monitoring activities as well as serve as a valuable resource for the dissemination of technical and regulatory information, education and compliance assistance.

The following is a summary of the complaint, compliance monitoring and enforcement response that occurred in fiscal year 2005 (July 1, 2004 – June 30, 2005), referred to hereafter as 2005. Investigations and enforcement response do not directly correlate with the year that they had been initiated. Due to the complexity of an investigation, an enforcement response is often completed in the fiscal year after the investigation is initiated.

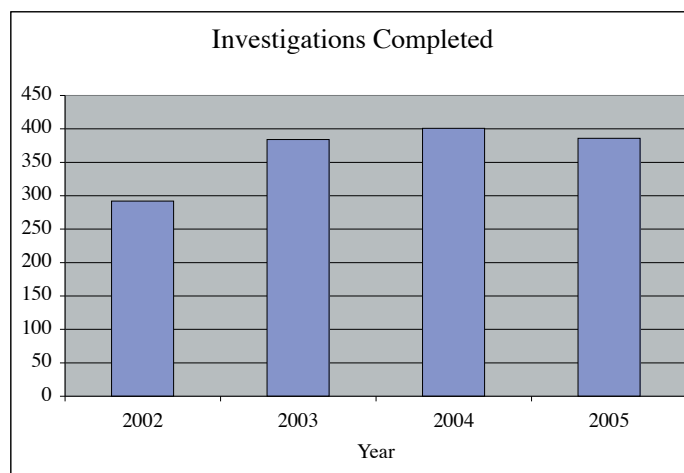
Pesticide Complaints

During 2005, Pesticides Division received 280 complaints/concerns associated with pesticide use. These complaints address everything from general inquiries regarding pesticide regulation and licensing to specific use practices of individuals. Pesticides Division staff spend a significant amount of time reviewing the complaint/concern information to determine the potential for violation of ORS 634 and FIFRA. Of the 280 complaints, 71 (25%) led to the initiation of a formal investigation being conducted. Most complaints from 2005 originated in six counties: Lane (37), Marion (34), Multnomah (28), Yamhill (22), Clackamas (20), and Benton (16).



Compliance Monitoring

During 2005, Pesticides Division completed 386 investigations. These activities consist of routine compliance monitoring as well as pesticide use/observation investigations.



Listed below is a brief description of specific investigative activities and the number of investigations conducted.

Operator/Applicator Record Inspection (ARI)

During 2005, Pesticides Division completed 136 Operator/Applicator Record Review inspections. Commercial Pesticide Operators and Public Pesticide Applicators are required to maintain specific record information as identified in ORS 634.146 and OAR 603-57-0130. These inspection activities also include a review of license status and label review for compliance. This routine compliance monitoring activity represents inspection of 15% of the Commercial Pesticide Operators and Public Pesticide Applicators annually.

Dealer Record Review (DRI)

During 2005, Pesticides Division completed 71 Pesticide Dealer Record Review inspections. Pesticide Dealers are required to maintain specific record information for each sale or distribution of Restricted Use Pesticides (RUP), as identified in OAR 603-57-0140. These inspection activities also include a review of license status of the pesticide purchaser. This routine compliance monitoring activity represents inspection of 30% of the pesticide Dealer facilities annually.

Market Place Inspection (MPI)

During 2005, Pesticides Division completed 73 Market Place Inspections. All pesticide products being delivered, distributed, sold, or offered for sale, in Oregon shall be registered on an annual basis (ORS 634.016). These inspection activities include a review of pesticide product registration status, product label compliance and product integrity.

Agricultural Use Follow Up/ Observation (AUF/AUO)

During 2005, Pesticides Division completed 43 Agricultural Use Observation/Followup inspections. These investigative activities are associated with agricultural production or forestry use and are based on complaint/concerns that ODA receives from various sources alleging misuse or violation of ORS 634 & FIFRA . Investigation activities include site visits, interviews, environmental sampling and the collection of documentation and evidence to support or deny the alleged violation. These inspection activities also include a review of license status and label review for compliance.

Non-Agricultural Use Follow Up/Observation (NUF/ NUO)

During 2005, Pesticides Division completed 47 Non-Agricultural Use Observation/Followup inspections. These investigative activities are associated with non- agricultural use practices such as pesticide use in and around structures, right of way and public health vectors and are based on complaint/concerns that ODA receives from various sources alleging misuse or violation of ORS 634 & FIFRA. Investigation activities include site visits, interviews, environmental sampling and the collection of documentation and evidence to support or deny the alleged violation. These inspection activities also include a review of license status and label review for compliance.

Producer Establishment Inspection (PEI)

During 2005, Pesticides Division completed eight Producer Establishment inspections. These investigative activities are associated with the manufacture and production of pesticide products to ensure industry compliance with product registration, formulation, packaging, and labeling before and while products are distributed into the channels of trade. These activities are conducted under the authority of ORS 634 and FIFRA. Investigation activities include site visits, interviews, product sampling and the collection of evidence to document compliance.

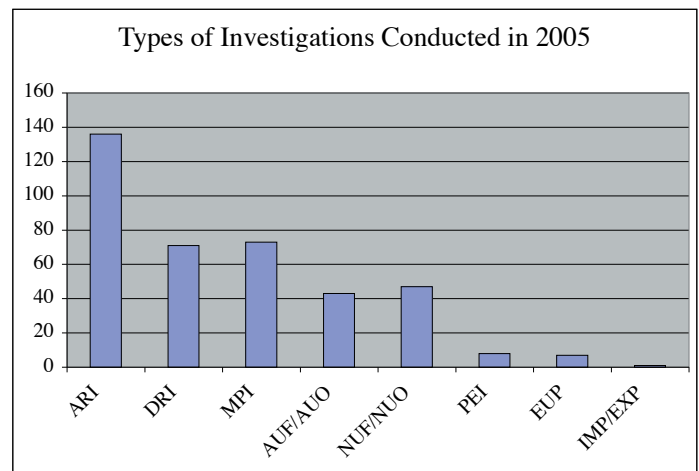
Experimental Use Inspection (EUP)

During 2005, Pesticides Division completed seven Experimental Use Inspections. These investigative activities are associated with the compliance monitoring of experimental use permits issued by ODA and EPA. These are conducted under the authority of ORS 634 and FIFRA. Investigation activities include site visits, interviews, license and permit review and the collection of documentation and evidence to support compliance with ORS 634 and FIFRA. These inspection activities include a review of license verification and status and product label and permit review for compliance.

Import/Export Inspections (IMP/EXP)

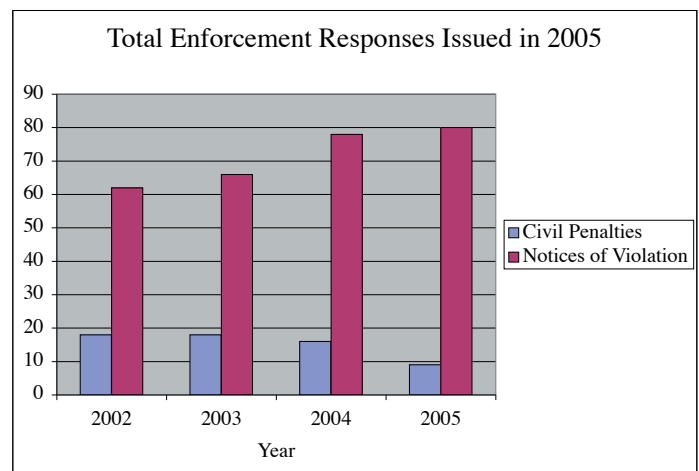
During 2005, Pesticide Division completed one Import/ Export inspection. The objective of these investigative

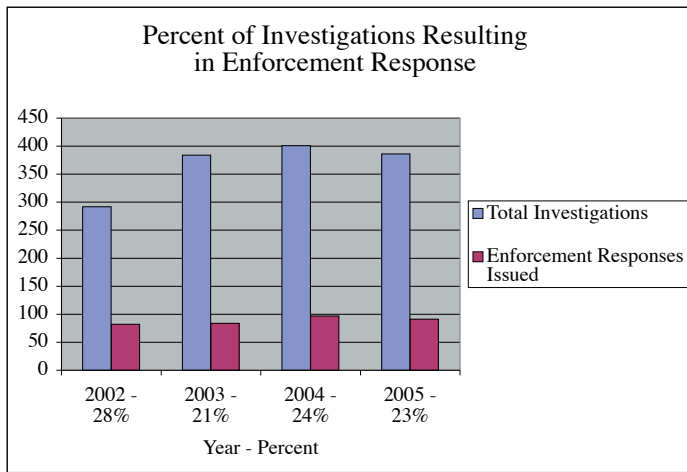
activities is to ensure that pesticide products imported into or exported from the United States comply with the requirement of FIFRA. These activities are conducted under the authority of FIFRA. Investigation activities include site visits, interviews, product sampling and the collection of evidence to document compliance.



Enforcement Response

During 2005, Pesticides Division issued 163 separate enforcement responses associated with violation of ORS 634 (Pesticide Control Law). This includes the issuance of Letters of Advisement, which are considered a non-formal enforcement response. Some investigations result in enforcement actions being issued to several parties. Enforcement responses issued during 2005 include Civil Penalties (9), Notices of Violation (80), Stop Sale, Use, or Removal Orders (1), Crop Seizures or Embargoes (9), Case Referred to EPA (18), and Letters of Advisement (54). The specific enforcement response issued by ODA is based on several factors including magnitude of the violation, gravity of effect and violation history.





Below are tables of enforcement responses issued (Civil Penalties and Notices of Violation) during 2005.

Civil Penalties Issued

Party Cited	Violation*	Amount
Wilbur-Ellis Company	ORS 634.372.2(2)	\$9990.00
DOA Ecological	ORS 634.372(9)	\$3,840.00
Mark W. Parsons	ORS 634.372(8)	\$840.00
Those Killer Guys	ORS 634.372(9,5)	\$720.00
Ryan A. Karr	ORS 634.372(8)	\$340.00
Reforestation Services	ORS 634.372(9)	\$814.00
Industrial Ventilation	ORS 634.372(4)	\$1,110.00
Bob Schmidt	ORS 634.372(4)	\$1,110.00
Rick Johnson	ORS 634.372(4)	\$1,080.00
Total:		\$19,844

Notices of Violation Issued

Party Cited	Violation*
Ace Hardware, Waldport	ORS 634.372(17)
Aqua Serene	ORS 634.372(17)
Arborists Northwest	ORS 634.372(4)
	ORS 634.372(4)
Atkinson Reforestation	ORS 634.372(4)
	ORS 634.372(4)
Beck's Spray Service	ORS 634.372(4)
	ORS 634.372(4)
C L C Enterprises	ORS 634.372(5)
Carr, Brian	ORS 634.372(1)
	ORS 634.372(1)
	ORS 634.372(4)
Cedar Roofs NW	ORS 634.372(9)
	ORS 634.372(2)
	ORS 634.372(8)
	ORS 634.372(8)
	ORS 634.372(2)

Party Cited	Violation*
Deschutes County Road Department	ORS 634.372(4)
	ORS 634.372(4)
	ORS 634.372(4)
Easton Pest Management	ORS 634.372(9)
	ORS 634.372(8)
Ecolab Pest Elimination	ORS 634.372(5)
Englund Marine Supply - Astoria	ORS 634.372(5)
	ORS 634.372(17)
Estacada True Value Hardware	ORS 634.372(17)
Grooms, Alan	ORS 634.372(9)
	ORS 634.372(8)
IFA Nursery	ORS 634.372(4)
	ORS 634.372(4)
Jasper Wood Products	ORS 634.372(9)
Johnson, Rick A.	ORS 634.372(4)
Kemi - K Products, Inc.	ORS 634.372(17)
Killers Exterminating	ORS 634.372(5)
Killers Store #5	ORS 634.372(5)
Leo Garre	ORS 634.372(4)
Miles Pest Management	ORS 634.372(5)
Ochoco Feed & Farm Supply, Inc.	ORS 634.372(17)
Oregon Dept of Transportation / Fruithill, Inc.	ORS 634.372(4)
	ORS 634.372(4)
	ORS 634.372(4)
Pacific Landscape Management	ORS 634.372(8)
Professional Turf Center	ORS 634.372(17)
Prograss, Inc.	ORS 634.372(9)
	ORS 634.372(8)
	ORS 634.372(5)
Raintree Garden & Gift Center	ORS 634.372(17)
Reforestation Services, Inc	ORS 634.372(9)
	ORS 634.372(8)
	ORS 634.372(8)
Rierson, Bob	ORS 634.372(4)
Rue, Joel	ORS 634.372(4)
Sheirbon, Jerry	ORS 634.372(4)
Shonnard's Nursery/ Florist, Inc.	ORS 634.372(17)
	ORS 634.372(17)
Simplot Grower Solutions	ORS 634.372(9)
	ORS 634.372(9)
	ORS 634.372(8)
Simplot Grower Solutions	ORS 634.372(4)
	ORS 634.372(4)
Solis (Naumes Inc)	ORS 634.372(4)
	ORS 634.372(4)
Valley Ag Air 11 c	ORS 634.372(4)
	ORS 634.372(4)
Village Realty	ORS 634.372(4)
	ORS 634.372(4)
Western Farm Service - Cornelius	ORS 634.372(17)

Party Cited	Violation*
Western Farm Service, Rickeall	ORS 634.372(2)
	ORS 634.372(4)
	ORS 634.372(2)
	ORS 634.372(4)
Western Farm Service, Tangent	ORS 634.372(17)
	ORS 634.372(4)
	ORS 634.372(4)
	ORS 634.372(4)
Wilco Farmers, Harrisburg	ORS 634.372(9)
	ORS 634.372(8)
Willamette Valley Helicopters	ORS 634.372(4)
	ORS 634.372(4)

**Pesticide Violations:*

- *ORS 634.372(1) - Make false or misleading claims through any media, relating to the effect of pesticides or application methods to be utilized.*
- *ORS 634.372(2) - As a pesticide applicator or operator, intentionally or willfully apply or use a worthless pesticide or any pesticide inconsistent with it's labeling, or as a pesticide consultant or dealer, recommend or distribute such pesticides.*
- *ORS 634.372(4) - Perform pesticide application activities in a faulty, careless or negligent manner.*
- *ORS 634.372(5) - Refuse or neglect to prepare and maintain records required to be kept by the provisions of this chapter.*
- *ORS 634.372(8) - As a pesticide applicator, work or engage in the application of any classes of pesticides without first obtaining and maintaining a pesticide applicator's license, or apply pesticides that are not specifically authorized by such license.*
- *ORS 634.372(9) - As a pesticide operator, engage in the business of, or represent or advertise as being in the business of, applying pesticides upon the land or property of another, without first obtaining and maintaining a pesticide operator's license. The operator also may not engage in a class of pesticide application business that is not specifically authorized by license issued by the State Department of Agriculture. The operator also may not employ or use any person to apply or spray pesticides who is not a licensed pesticide applicator or pesticide trainee.*
- *ORS 634.372(17) - Formulate, deliver, distribute, sell or offer for sale any pesticide that has not been registered as required by ORS 634.016.*

Crop Seizures or Embargoes are issued based on the department's authority and responsibility to prevent the distribution of a crop or commodity when a pesticide residue has exceeded the allowable tolerance or when no tolerance for a particular pesticide residue has been established for that commodity.

Crop Embargoes

Crop	Acres	Location	Pesticide	Reason
Grass Hay	2	Oregon City	Endosulfan & Chlorothalonil	Pesticide Drift
Pasture	0.5	Oregon City	Endosulfan & Chlorothalonil	Pesticide Drift
Seed Potatoes	10,000	Haines	Chlorpropham	Residue Concern
Wheat	747.2	Adams	Propiconazole	Residue Concern
Wheat	371.5	Adams	Propiconazole	Residue Concern
Wheat	170.8	Adams	Propiconazole	Residue Concern
Wheat	36.7	Weston	Propiconazole	Residue Concern
Wheat	134.4	Athena	Propiconazole	Residue Concern
Wheat	117.6	Adams	Propiconazole	Residue Concern

A CASE REVIEW

Oregon grows more than 220 minor crops. The variety of production of Oregon crops varies greatly, from large acreage farms, such as wheat and cattle, to very small ones, some with less than an acre. With so much diversity, Oregon is challenged to maintain adequate pest control tools. When using any pesticide product, always make sure to use the product in compliance with its labeled uses. Inappropriate or unlabeled use of pesticide products jeopardizes everyone's ability to use these important pest control tools.

The following summary of a recent ODA pesticide investigation highlights the misuse of pesticides on a specialty crop grown by only a few farmers in Oregon.

Last Fall, ODA received allegations that growers of a specialty crop had violated federal and state pesticide laws in two ways: (1) using a pesticide product on a crop for which the product was not labeled; and (2) using a pesticide product at higher rates than allowed by the label. An investigation was conducted that ended up involving seven pesticide dealerships, one processor and the consultants these businesses employed. Six growers were documented to have received one or both of the pesticide products of interest. Multiple interviews were conducted with these growers. Soil samples were taken from specific fields and analyzed. Laboratory data were compared with product degradation data provided by product registrants. The investigation required several months of casework to gather and evaluate the documentation.

This case resulted in enforcement action under the Oregon Pesticide Law for the following violations:

- One dealer – knowingly distributing a pesticide product for use inconsistent with its labeling (one count);
- Four growers – using a pesticide product on a crop for which it was not labeled (five counts);
- One grower – using a pesticide product on a crop at a rate

- higher than allowed by the product label (eight counts);
- One grower – using a pesticide product without adhering to the minimum re-application interval stated on the product label (two counts).

The dealer and grower actions violated not only the Oregon Pesticide Law but also the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). The United States Environmental Protection Agency (EPA) administers FIFRA. Pesticide cases can be reviewed by EPA for enforcement action under FIFRA.

Not following pesticide label use instructions can result in illegal residues, which can result in crop embargo, crop destruction, and the re-call of fresh and processed foods. Such actions may not only be financially harmful to an individual grower, but to all growers, processors, and marketers of that crop. The misuse of pesticides is a violation of the Oregon Pesticide Law and FIFRA, and can cause great harm to the agricultural industry.

For crops where no registered pesticide is available to control the target pest, do NOT use another pesticide that is not intended for that crop. Assistance is available at the department and through the OSU Cooperative Extension Service to help solve these types of problems. Contact ODA for more information 503-986-4635.

DISTINGUISHING DILUENTS

Pesticide labels provide use directions, such as application rates and approved sites, that must be adhered to. Many applicators may not realize that the label also dictates your choice of diluent, whether it be water, diesel fuel or other substance. If the label specifies a substance as the diluent that must be used, the use of any other substance as a diluent is considered a use inconsistent with the label and constitutes a misuse violation. In instances where no diluent is specified on the label, water must be used as the diluent.

When preparing a tank mix, mixing different pesticide products in one tank is permitted, as long as the practice is

not prohibited by any one of the pesticides' product labels. However, when you decide which diluent to use, water, crop oil, diesel fuel, or some other diluent, the user must not dilute the product in any other substance than the one(s) specified on the product label. This rule is found in FIFRA Compliance Monitoring Policy No. 12.5.

Contact: Lyn Frandsen, EPA (206) 553-4768.

RECORDKEEPING FOR RODENTICIDES

The Oregon Department of Agriculture (ODA) has become aware of private pesticide applicators who failed to record required elements such as “date” and “total amount” in their restricted use pesticide (RUP) application records. These record-keeping elements are required by the U.S. Department of Agriculture (USDA). In particular, local applicators said that they did not associate RUP rodenticides, including gopher baits, with the USDA requirements. They also commented that other private applicators in the area might be operating under the same, wrong impression. Records must be kept for ALL RUP applications, including rodenticides.

ODA has a brochure that explains the law, including “How to Record Spot Treatments”. If you would like to obtain a copy of this, please contact the department at 503-986-4635 or pestx@oda.state.or.us.

Restricted-Use Rodenticides:

Active Ingredient	Product Names (partial list)
Aluminum phosphide	Weevil-Cide, Fumex, Gastoxin, Quick Fume, Fumitoxin, Phostoxin, Detia Fumex, Prepac
Magnesium phosphide	Fumi-Cel/Fumi-Strip, Magtoxin, Magnaphos
Strychnine	Strychnine, Pocket Gopher Bait, Gopher Getter, Gopher-Rodent Killer
Zinc phosphide	Ridall-Zinc Rodent Field/Ag Bait, ZP Tracking Powder, ZP Rodent Bait, Orchard Mouse Bait, Mous-Con

RECENT FERTILIZER NOTICES OF VIOLATION

Party Cited	Violation	ORS Section	Disposition
Eleanor's of California	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.
Specialty Fertilizer Products, LLC	Sell, offer for sale, or distribute unregistered agricultural mineral products.	633.366(1)(e)	Final Order Issued.
Central Garden & Pet Company (aka Excel Garden Products)	Sell, offer for sale, or distribute unregistered fertilizer, agricultural mineral products, and agricultural amendment products.	633.366(1)(e)	Final Order Issued.
Gard'n-Wise Distributors, Inc.	Sell, offer for sale, or distribute unregistered fertilizer, agricultural mineral, and agricultural amendment products.	633.366(1)(e)	Final Order Issued.

GOOSE DEATHS UNDER INVESTIGATION

The U.S. Fish and Wildlife Service is conducting investigations following the recent deaths of more than three dozen resident Canada geese in two different locations around the Willamette Valley. Zinc phosphide, a rodenticide used for vole, mouse and ground squirrel control, has been confirmed as the cause of death. A total of 36 dead geese were found August 18 and August 19 near Dayton and another 11 dead geese were found August 22 near Hillsboro.

The geese appear to have suffered the same death as several hundred geese, mostly migratory, that were found dead between November 2004 and March 2005 in six locations around the Willamette Valley. A total of about 300 Canada geese were found dead near McMinnville, Keizer, Staats Lake in north Salem and Ankeny, Finley and Baskett Slough national wildlife refuges. USFWS Agents believe it is likely that more geese died but were not discovered or reported.

U.S. Fish and Wildlife Service agents are investigating whether those geese died as a result of the misuse of zinc phosphide, which is regulated as a Restricted Use Pesticide. Label restrictions say that zinc phosphide must be placed directly in a burrow. The Oregon Department of Agriculture issued Special Local Need registrations (SLNs) for zinc phosphide with limited broadcast applications on grass grown for seed fields between May 1 through August 31. This limited time period was determined to be when there was the least risk to geese in the Willamette Valley. Geese, whether resident or migratory, are protected under the federal Migratory Bird Treaty Act.

Zinc phosphide is highly toxic to rodents, birds, fish and other wildlife, although it is not believed to be hazardous to birds of prey that eat rodents that have been killed by it. When zinc phosphide is ingested it is converted by stomach acids to phosphine gas, which acts on the heart, kidney and liver; death occurs from heart and kidney failure. Death usually occurs within 15 minutes to four hours after ingestion of a toxic dose, but sometimes death may not occur for several days.

If anyone finds, or has found, dead geese or has information on the illegal use of zinc phosphide contact Jim Stinebaugh, 503-682-6131, Joan Jewett or David Patte, 503-231-6121 at the U.S. Fish and Wildlife Service’s law enforcement office in Wilsonville.

ZINC PHOSPHIDE ADVISORY

All above ground applications of zinc phosphide on grasses grown for seed allowed by Oregon Special Local Need (SLN) registrations ENDED AUGUST 31, 2005.

Please be advised there is NO extension of the AUGUST 31 deadline. Misuse of these products is a violation of state and federal law and may result in criminal and/or civil enforcement action. Misuse could also result in permanent cancellation of above-ground applications on grass grown for seed.

In July 2005, the Oregon Department of Agriculture (ODA) issued three additional SLN registrations for the use of zinc phosphide products on grasses grown for seed. These registrations allowed specific above ground uses until AUGUST 31.

ALL ABOVE GROUND APPLICATIONS ON GRASSES GROWN FOR SEED EXPIRED AUGUST 31.

The SLN registrations affected are:

Registrant	Product	EPA Reg No.	OR SLN No.
HACCO	Prozap Zinc Phosphide Oat Bait	61282-14	OR-990009
HACCO	Prozap Zinc Phosphide Pellets	61282-49	OR-050021 & OR-050009
Bell	ZP Rodent Bait AG	12455-17	OR-050022 & OR-990034
R & M Exterminators	Zinc Phosphide on Oats	4271-16	OR-050023

The ONLY use allowed after August 31 is “below ground hand-baiting” specifically for voles in Grasses Grown for Seed is allowed by the 050021, 050022 and 050023 SLN labels. The appropriate SLN label MUST be in the possession of the user at the time of application.

If you have any questions please contact Rose Kachadoorian or Janet Fults at (503) 986-4635.

OUTREACH EFFORTS

ODA has recently engaged in outreach efforts to educate growers about increasing the margin of safety for zinc phosphide products used in grass grown for seed. The department has organized meetings with growers and issued pesticide advisories to clarify label uses and restrictions. In addition, the department has collaborated with registrants, other agencies, OSU researchers, the OSU Cooperative Extension Service, and other interested parties to determine management practices for voles that minimize effects to non-target species. Discussion topics have included: using geese repellants, using other rodenticides, modifying application methods and rates, and learning more about voles. ODA will continue its efforts to bring information to growers as it becomes available.

UPCOMING RECERTIFICATION CLASSES

Additional online and correspondence classes available (see our website)

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

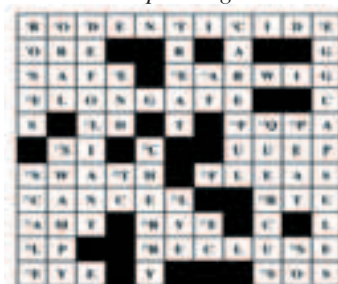
Date(s)	Location	Title	Cr	Contact	Phone
9/27/05	Baltimore, MD	PCT/QA Pest Mgt In Food Warehse	6	Michelle Fitzpatrick	(216) 961-4130
9/27/05	College Park, GA	Arch Wood Protection OP Smnr	9	Edward Nichenko	(404) 362-3970
9/29/05	Chicago, IL	PCT/QA Pest Mgt In Food Warehse	6	Michelle Fitzpatrick	(216) 961-4130
10/3/05	Salem, OR	CCC Pesticide Laws & Safety	6	D Craig Anderson	(503) 399-5139
10/4/05	Pocatello, ID	Idaho GCSA Fall Meeting	2	Lori Russell	(406) 434-2043
10/4/05	Salem, OR	CCC Pesticide Laws & Safety-AM	3	D Craig Anderson	(503) 399-5139
10/5/05	Tualatin, OR	Target Specialty Arbor Care	6	Larry Durant	(503) 789-0733
10/6/05	Puyallup, WA	Target Specialty Arbor Care	6	Larry Durant	(503) 789-0733
10/8/05	Florence, OR	OSU Ext Tree Smnr Nox Weed ID	2	Steve Bowers	(541) 682-7311
10/8/05	Florence, OR	OSU Ext Tree Smnr Cstl Site Prep	1	Steve Bowers	(541) 682-7311
10/8/05	Florence, OR	OSU Ext Tree Smnr Conifer Ins/Dis	2	Steve Bowers	(541) 682-7311
10/8/05	Florence, OR	OSU Ext Tree Smnr Ins/Dis Of Hdwd	2	Steve Bowers	(541) 682-7311
10/8/05	Florence, OR	OSU Ext Tree Smnr NonChem Veg M	2	Steve Bowers	(541) 682-7311
10/14-10/16/2005	Louisville, KY	LandsConference	V	Philip Lange	(818) 764-6222
10/14/05	Nashville, TN	NPMA Pest World 2005	TBD	Cindy Kennedy	(703) 352-6762
10/17/05	Sparks, NV	CAPCA Annual Conf & Expo	3	Terry Stark	(916) 928-1625
10/18/05	Sparks, NV	CAPCA Annual Conf & Expo	1	Terry Stark	(916) 928-1625
10/22/05	Salem, OR	CCC Private Applic Tng	6	D Craig Anderson	(503) 399-5139
10/24/05	Salem, OR	CCC Orna Turf Herb	6	D Craig Anderson	(503) 399-5139
10/25/05	Salem, OR	CCC Orna Turf Herb	3	D Craig Anderson	(503) 399-5139
10/25/05	Vancouver, WA	iSNAP Int Pest & Nutrient Mgmt	1	Mary Staben	(541) 737-2683
10/26/05	Vancouver, WA	iSNAP Int Pest & Nutrient Mgmt	7	Mary Staben	(541) 737-2683
10/28/05	Salem, OR	CCC Core Ag Worker Safety Tng	4	D Craig Anderson	(503) 399-5139
10/29/05	Salem, OR	CCC WDO Insp & Eval	6	D Craig Anderson	(503) 399-5139
11/3/05	Salem, OR	CCC Forestry Review	8	D Craig Anderson	(503) 399-5139
11/8/05	Little Rock, AK	IFC Pest Prev In Food Est	8	Paul E. Laughlin	(913) 782-7600
11/16/05	Silverton, OR	OAN Arthropod Pest Damage	4	Aimee McAuliffe	(503) 682-5089
11/17/05	Salem, OR	CCC O/T Pest Recert Tng	8	D Craig Anderson	(503) 399-5139
11/19/05	Salem, OR	CCC Core Spanish Pestic Tng	6	D Craig Anderson	(503) 399-5139
11/19/05	Salem, OR	CCC Core Sprayer Calib	4	D Craig Anderson	(503) 399-5139
11/19/05	Salem, OR	CCC Core Label Comp	4	D Craig Anderson	(503) 399-5139
12/1/05	Eugene, OR	Lane Cty Ext Core Tng	4	Ross Penhalegon	(541) 682-7313
12/1/05	Salem, OR	CCC Forestry Veg Management	5	D Craig Anderson	(503) 399-5139
12/3/05	Salem, OR	CCC Private Applic Tng	6	D Craig Anderson	(503) 399-5139
12/6/05	Silverton, OR	OAN Sudden Oak Death	4	Aimee McAuliffe	(503) 682-5089
12/9/05	Salem, OR	CCC Core Ag Worker Safety Tng	4	D Craig Anderson	(503) 399-5139
12/10/05	Salem, OR	CCC Weed ID & Mgt	4	D Craig Anderson	(503) 399-5139

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. Courses with a "V" have variable credits depending on which sessions are attended. Courses with a "TBD" have not been assigned credits as of this newsletter.



Pesticides Superhero Guy says: Make sure all spray equipment is in good working order prior to use. Check for leaks and cracked hoses that might burst during an application.

ANSWERS TO SPRING QUARTER'S CROSSWORD PUZZLE



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

Activities from May 2005 - September 2005

Granted					
Registrant	Product	Crop	Pest	EPA Reg #	OR SLN #
Loveland Products	Saber Herbicide	blueberries - highbush	broadleaf weeds	34704-803	OR-050016
Dow AgroSciences	Lorsban 4E	Christmas trees (plantations)	adding aerial	62719-220	OR-050015
HACCO	Prozap Zinc Phosphide Pellets	cottonwood/hybrid poplar	voles, mice	61282-49	OR-050010
Bayer	Admire PRO Systemic Pro-tectant	cranberries	black vine weevil	264-827	OR-050025
Loveland Products	Prometryne 4L	dill for oil	weeds	34704-692	OR-050018
Bayer	Di-Syston 8 Emulsifiable Systemic Insecticide	Easter lily	insects	264-737	OR-050024
Bell Laboratories	ZP Rodent Bait Ag	grass grown for seed	voles and mice- post harvest, between windrows, below ground hand-baiting	12455-17	OR-050022
HACCO	Prozap Zinc Phosphide Pellets	grass grown for seed	voles and mice- post harvest, between windrows, below ground hand-baiting	61282-49	OR-050021
R&M Exterminators	Zinc Phosphide on Oats	grass grown for seed	voles and mice	4271-16	OR-050023
Syngenta	Tilt	grass grown for seed	ergot	100-617	OR-050012
Arvesta	Everest 70% WDG Herbicide	bluegrass grown for seed	wild oats	66330-49	OR-050027
Gowan	Eptam 7-E Selective Herbicide	idle season land	yellow nutsedge	80225-3-1016	OR-050026b
Loveland Products	Dimethoate 400	meadowfoam - for seed	scaptomyza fly	34704-207	OR-050020
Loveland Products	Dimethoate 400	pea (dry and succulent)	aphids	34704-207	OR-050019
AMVAC	Blocker 4F Fungicide	potato	white mold and black dot	5481-472	OR-030015
Loveland Products	Simazine 4L	seed - broccoli, Brussels sprouts, cabbage, kale or kohlrabi	weeds	34704-687	OR-050017
Valent USA	Zeal Miticide	seed- carrots grown for seed	two spotted spider mites	59639-123	OR-050014
Snake River Sugar Co.	Honcho Plus	sugar beets	weeds	524-454	OR-050013

Canceled					
Registrant	Product	Crop	EPA Reg #	OR SLN #	Reason
DuPont	Asana XL	blueberries	352-515	OR-940019	On main label
Griffin	Equus DF Fungicide	chickpea / garbonzo bean	1812-440	OR-020019	Not in production
Platte	Diuron 80 WDG	grass grown for seed	34704-648	OR-920019	On main label
Gowan	Gowan Endosulfan 3EC Insecticide	hybrid poplars for pulp	10163-110	OR-990051	Not marketing product
IAP	Triap 4HF	onions - layby	62719-250-71058	OR-950031b	On main label
Haco, Inc.	Ramik Brown	orchard	2393-497	OR-760036	On main label
Platte	Diuron 80 WDG	peppermint	34704-648	OR-940029	On main label
DuPont	Oust	poplar - west of cascades	352-401	OR-950005	On Oust XP label
Gowan	Gowan Diazinon 4E	Potatoes	10163-100	OR-020004	Not marketing product
Wilco	RCO Squirrel Patrol Bait	residential, comm. and ag.	none	OR-010013	Became RUP
Snake River Sugar Co.	Roundup Original	sugar beets	524-445	OR-030016	Replaced by OR-050013

Pending					
Registrant	Product	Crop	Pest	EPA Reg #	
Syngenta	Quadris Flowable Fungicide	crimson clover grown for seed	Sclerotinia trifoliorum	100-1098	
Dow AgroSciences	Goal 2XL	red clover grown for seed	weed control	62719-424	

Denied					
Registrant	Product	Crop	Pest	EPA Reg #	Reason
Sipcam Agro	Stalwart Herbicide	dry bulb onions	yellow nutsedge	60063-24	Lack of data for isomer

Withdrawn					
Registrant	Product	Crop	Pest	EPA Reg #	Reason
Syngenta	Quilt Fungicide	wheat	stripe rust	100-1178	On main label

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
Cranberries	broadleaf weeds	Callisto	100-1131	4/1/05	10/31/05
Honey bees	varroa mite, small hive beetle	CheckMite+ Bee Hive Pest Strips	Not Registered	2/1/05	2/1/06
Honey bees	varroa mite	ApiLife VAR	Not Registered	2/1/05	12/1/05
Mushrooms	green mold	Topsin M 70WP	4581-403	10/1/04	10/18/05
Mushrooms	green mold	Topsin M 70WP	4581-403, 73545-11	Pending extension	
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	
Wheat	annual ryegrass	Axiom DF	264-766, 3125-488	9/23/05	12/31/05

RECENT ACTIVE INGREDIENT ACTIONS

Regulatory actions at the federal level can be difficult to keep up with. We have compiled the following chart of major active ingredient and product cancellations and their associated existing stock provisions so that you can stay informed. If you have additional questions about these actions, contact Kristina Davis or Janet Fults at 503-986-4635 or contact the product manufacturers directly. Note: this chart covers only major actions and should not be considered all-inclusive.

Active Ingredients	Product(s)/EPA Reg.#	Use Terminations:	Existing Stock Provisions:
Chlorpyrifos	All products containing chlorpyrifos	Pre-construction termite control	As of December 31, 2005, chlorpyrifos products may no longer be distributed, sold or used for pre-construction termite control.
DCPA, Dacthal	Amvac Dacthal Flowable Herbicide (5481-487) Amvac Dacthal W-75 (5481-490) Amvac Dacthal W-75 Turf (5481-491)	Alfalfa, arracacha, artichokes (Chinese and Jerusalem), beans, bean yam (yam bean), beets, chestnuts (soil treatment and nursery stock), chufa, citron melon, cotton, crabapples (soil treatment and nursery stock), cucumber, edible canna, garlic, ginger, leren, peas, pepper, potatoes, residential uses (turf and ornamentals), squash (including pumpkin), tanager, walnuts (non-bearing and nursery stock), and yam.	Amvac Chemical Corporation will be permitted to sell or distribute stocks produced prior to July 31, 2005 until April 1, 2007. Persons other than Amvac Chemical Corporation may continue to sell and/or use existing stocks until such stocks are exhausted.
Dimethoate	Cheminova Dimethoate 4E (34704-207-67760) Agreliance Dimate 4EC Systemic Insecticide (51036-110-9779) Micro-flo Dimethoate 267 (51036-198) Micro-flo Dimethoate 4E (51036-110) Drexel Dimethoate 4EC Systemic Insecticide/ Miticide (19713-231)	Apples, broccoli raab, cabbage, collards, fennel, grapes, head lettuce, lespedeza, spinach, tomatillo, trefoil	Registrants will be permitted to sell or distribute stocks produced prior to July 20, 2005 until July 20, 2006. Persons other than the registrants may continue to sell and/or use existing stocks until such stocks are exhausted.
Ethoprop	Aventis MOCAP 10% Granular (Lock 'N Load) Nematicide Insecticide (264-465)	All uses	Aventis CropScience is not permitted to sell or distribute stock labeled with terminated use(s) after April 27, 2005. Persons other than Aventis CropScience may continue to sell and/or use existing stocks until such stocks are exhausted.
Thiram	Taminco Thiram Granuflo Agricultural Fungicide (45728-21) Taminco Thiram 65 WSB Fungicide (45728-24)	Apples	Taminco, Inc. is not permitted to sell or distribute stock labeled with terminated use(s) after August 31, 2005. Persons other than Taminco, Inc. may continue to sell and/or use existing stocks until such stocks are exhausted.



ODA Pesticide Quarterly
Pesticides Division

Oregon
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- PH: (503) 986-4635
- FAX: (503) 986-4735
- TTY: (503) 986-4762

4018 INSURANCE FORMS NO LONGER REQUIRED

The insurance form #4018, previously required of applicants for the Commercial Pesticide Operator license, will no longer be required by the department. This documentation was difficult for applicants to provide in time for license renewals, resulting in licenses being delayed and/or numerous communications between ODA and the Operator to resolve the 4018 dilemma. This form was also cumbersome to the Department in maintaining insurance information between consecutive years of licensing.

For 2006, the department will be going to a SELF-CERTIFICATION process. On a renewal form for a Commercial Pesticide Operator, the insurance information currently on file for the Operator will be printed. The Operator must make sure this information is current and correct. Corrections or revisions of the insurance information are to be made by the person legally responsible for the business. That person will sign the application attesting to the fact that they are aware of the financial responsibilities of an Operator and any changes of the insurance information or status (e.g. updated expiration date) must be provided to

ODA immediately.

Conducting activities as an Operator without current insurance information on file or providing false information about insurance coverage is a violation of Oregon law. The violator may be subject to enforcement action including civil penalty. The Department will conduct routine inspections for compliance to ensure Operators are keeping adequate insurance and that information is provided to ODA in support of the Operator license.

FERTILIZER ANNUAL REPORT AVAILABLE

The 2004 annual report summarizes the department's program activities related to fertilizers, agricultural amendments, agricultural minerals and lime. It provides details on stop sales, notices of violation and civil penalties issued, and summarizes tonnages sold statewide. Details of official sample analysis are also presented.

The report is available either in hard copy format: (503) 986-4635, or electronic format from our website: <http://oregon.gov/ODA/PEST/fertilizer.shtml>.