

ODA PESTICIDE BULLETIN

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Oregon Department of Agriculture Pesticides Division

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IMPROVE YOUR RECORDS

Recordkeeping is an essential part of legally applying pesticides as a commercial, public or private pesticide applicator in the state of Oregon. While most licensed applicators are aware of the requirement to keep records, our investigators have noted that some application records could be improved. While most records meet the minimum standards set out in state and federal law, having a small amount of additional information about each application will greatly improve your records and help you if one of your applications comes under scrutiny.

The following is the minimum required record information for commercial operators and public applicators:

- The firm or individual for whom the pesticide application was made
- The location of the land or property where the application was made
- The date and approximate time of the application
- The supplier of the pesticide product applied
- The identity of the pesticide applied including the trade name and manufacturer or EPA registration number
- The amount of pesticide applied and dilution
- The specific site or crop to which the pesticide was applied
- The summary information of equipment, device, or apparatus used to make the application. If applied by an aircraft the F.A.A. number of the aircraft
- Name of the applicators who made the application
- Retain the records for three years

A good pesticide record should provide a clear and precise picture of the application. While the required information will go a long way to provide details of the application, it is highly recommended to add the following information to application records:

- Environmental Data. Provide information on environmental conditions and sensitive areas. For instance the record could note at the time of the application wind speed and direction, temperature, weather (rain, clear, cloudy etc.), standing or running water. If a label mentions certain environmental conditions or areas to avoid or be aware of, then note on your record if they are present or not present.
- Comments. In a comments section you may want to mention toys in the yard, pets present, children at home, a neighbor working in his yard, bicycle or hikers



Many applicators keep records that fulfill the minimum requirements of the law, but adding some more information could make your records better.

nearby, a school nearby and how you addressed them. This would show that the applicator was aware and trying to make the application in a cautious manner. Some examples might be:

- ✎ *I saw a neighbor working in his yard so I told him I was going to make an application next door and suggested he wait inside until application is finished.*
- ✎ *There were toys in back yard; instructed homeowner to move toys to a location where they would not be contacted.*
- ✎ *Placed a tarp over trunks in attic to protect them from application.*
- ✎ *There is a school next door; application was made on a weekend when children were not present.*

- **Site Details.** Some sites may be fairly straight-forward to describe, such as agricultural crops. However, applications made in an urban setting can be more challenging. The site information needs to clarify whether the treatments are made to exterior perimeters, crawl spaces, sidewalks, driveways, baseboards, windowsills, cracks & crevices, below sinks, behind appliances, attics, wall voids, etc., or any combination of the above. Code systems can be effective if they are well designed.

- **Location Details.** Specify details about where the application was made especially if the application did not encompass the entire area. Locations of ag fields, lawns and roofs should have an estimate of area. Some examples might include:

- ✎ *Sprayed the back lawn only and did not spray ornamental plantings near the back porch or along the fence line. Approx. 3200 square feet.*
- ✎ *Gel bait applied to baseboards in kitchen and bathrooms.*
- ✎ *Applied granules to the southwest portion of the field from where the big oak tree is to the field access road. 3.6 acres.*
- ✎ *Applied product to eastbound side of county road 4 from mile markers 27 to 36 and turned off sprayer near mile marker 31 to observe a no-spray request sign.*

Accurate and detailed records are excellent management tools. By referring to past applications you can make adjustments to make your application more effective. A new product could be considered, rates could be adjusted, maybe making the application earlier or later in the season. A good record could help you answer the question “what worked or didn’t work with my last application?”

A bare bones record might meet the letter of the law but a detailed record is more valuable and may make all the difference if problems, real or perceived, arise.

SECURE YOUR OPERATION TODAY

Several years have passed since the last major terrorist attack on U.S. soil and some of us may have fallen back into old patterns that could make it easier for those who may be planning another attack. This article provides a list of actions you can take to prevent these individuals from taking advantage of your operation to launch an attack.



Officials believe pesticide application equipment could be used in future terrorist attacks. In addition to helping the war on terror, securing your facility will make it less vulnerable to theft and vandalism.

Prepare and Plan

Prepare and plan to prevent problems before they occur. Make it as difficult as possible for terrorists or criminals to tamper with any products that your business stores, transports or applies.

- **Locks** – Keep buildings, storage areas and hangars locked when not in use. This includes during the hours or days when there is no application activity, especially if everyone leaves the facility or that particular area of the facility. Make sure there are doors on buildings, locks on doors and windows locked after hours.
- **Keys** – Limit the number of employees who have access to pesticide storage areas. Keep track of who has keys to storage areas, buildings, hangars and gates. If you don’t know, change the locks and start over.
- **Shipping/Receiving** – Have procedures in place for allowing products, supplies and chemicals being delivered to your place of business. Keep documentation of incoming and out-going materials.
- **Signs** – Post signs that state “Authorized Personnel Only” on all doors leading to the pesticide storage areas. Restrict access to these areas even during business hours. Post Emergency Contacts on the front of the building that provides phone numbers for at least 2 employees, police and fire department.
- **Lighting** – Storage areas should be well lit, stable and sturdy. Assess your need for outdoor lighting.
- **Gates** – Make sure they are sturdy, secure and locked after-hours. Post the hours of operation on the gate.
- **Vehicles/Planes** – Always take keys out of the ignition and

keep vehicles locked after hours including planes, trucks and other equipment. Disable engines of unused aircraft, but make sure you properly reinstall aircraft equipment when you're ready to use it again. Have a policy for searching company and privately owned vehicles and aircraft.

- Inspections – Check pesticide storage areas for signs of tampering – doors, windows, gates, etc.
- Visitor's Log – Keep track of visitors and deliveries. If you are not familiar with someone, ask to see identification and don't hesitate to verify by calling their company.
- Records – Keep inventory records up-to-date. Keep pesticide application records. Make sure you have current Material Safety Data Sheets (MSDS) for each product.
- Local authorities – Invite local authorities to visit your facility to become aware of your chemical storage areas and ask for after-hours assistance with an occasional drive-by to help deter unwanted late-night visitors and recognize broken locks/gates. Report any suspicious activity to local authorities.
- Fire Department – Invite your fire department to visit your facility to become aware of chemical storage areas and how a fire situation should be handled.
- Written Site Security Plan – Prepare a written plan if you transport certain amounts of pesticides, fuel or fertilizers. US DOT has more information on this requirement.

CARVER Method

The FBI suggests that every business make an assessment of their facility using the "CARVER" method:

C = Criticality - Identify which portions of your business are critical to staying in operation.

A = Accessibility - How accessible are these areas of critical operation?

R = Recoupability - What would it take to get your business back in operation after a terrorist attack?

V = Vulnerability - Where is your business the most vulnerable?

E = Effect - What effect would a terrorist attack have on your employees, business, community and the economy?

R = Recognizability - How recognizable are your critical operations to terrorists and criminals?

Shock Effect

Lastly, what is the psychological impact on society if a terrorist were able to contaminate a quick-to-market crop? For example, if a terrorist was able to spray a biological agent on a fresh fruit or vegetable and it went to market with little or no processing, the results could be disastrous. In addition to any direct harm done to victims, it would create such a nationwide scare that society would refuse to purchase and

eat these fruits and vegetables for a long time.

Report Suspicious Activity

Report any suspicious or criminal activity as it relates to facility security or transportation safety including rail, highway, mass transit, maritime, pipeline and aviation.

Report activities such as:

- Suspicious persons wandering your place of business that don't appear to be looking to purchase, but scoping out your operations
- Suspicious persons showing uncommon interest in facility security measures, facility entry and access, perimeter fencing, etc.
- Theft or missing company identification, documents, uniforms, credentials, or vehicles
- Attempts by someone to gain knowledge about key personnel, facilities, systems, operations
- Theft or attempt to obtain blueprints, alarm info, related security info
- Discovery of documents (particularly in foreign languages) containing pictures, drawings of critical infrastructure, key resource facilities



If you see these folks wandering around your property, contact the FBI immediately! See the FBI web site for other known terrorists: <http://www.fbi.gov>

When reporting suspicious activity, be sure to provide:

- Company Name
- Contact Person
- Date
- Time
- Location
- Type of surveillance
- Number of people
- Type of equipment used

Contacts:

FBI Portland, Suite 400, Crown Plaza Building, 1500 Southwest 1st Avenue, Portland, Oregon 97201-5828. <http://portland.fbi.gov>. (503) 224-4181.

Homeland Security Operations Center (HSOC) at: 202-282-8101 or HSCenter@dhs.gov.

HOME-BREWED PESTICIDES

You may view the use of unregistered versions of pesticide products or home-brewed recipes as a creative way to save money, but you may be in violation of state and/or federal law when doing so. Many commonly-obtainable products are not sold or represented as pesticides, but have some pesticidal properties. Often they have EPA registered equivalents. Some examples include:

- Zinc sulfate fertilizer for moss control.
- Beer for slug control.
- Bleach products that are sold as cleaning agents but are not marketed as pesticides.
- Iron phosphate applied for slug control.
- Household vinegar or industrial acetic acid applied as an herbicide.
- Unregistered soaps for insect control agents.
- Household baking soda as a fungicide.
- Pool filter grade diatomaceous earth for insect control.

Commercial Pesticide Operators can be penalized as much as \$6,500 under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) for:

- Using unregistered pesticide products on a customer's property.
- Leaving unregistered pesticide products with your customers for later use.
- Leaving registered pesticides that are partially used or diluted with your customers for later use (except perhaps for some narrowly-defined agricultural situations).

As always, keep in mind that regulatory violations can exacerbate any civil liability that could arise, as a matter of perception in the eyes of the court if nothing else.

Finally, there are good reasons for caring about the registration status of products used as pesticides. Registered pesticide products have the benefit of evaluation by the Environmental Protection Agency. Scientists evaluate the potential for adverse effects based on the formulation of each product, and they require precautionary statements, personal protective equipment, and environmental risk mitigation measures to reduce those risks to an acceptable level. Using unregistered products commercially in a pesticidal way is both illegal and risky.



Pesticides Superhero Guy says: Be especially cautious when mixing and loading pesticides. Concentrated pesticides can be more hazardous.

FUMIGATION MANAGEMENT PLANS

If you are a distributor or user of phosphide fumigants, changes in product labeling affect you. Because of the human health risk posed by aluminum and magnesium phosphide fumigants, the EPA and product manufacturers are requiring that users prepare a fumigant management plan prior to product use. The specific requirements are identified in the Applicator's Manual that is required to accompany the approved label at the time of sale or distribution. The requirement of a written management plan was the result of an agreement reached between EPA and the registrants in 2000 that allowed these products to continue to be registered while still providing protections for users and other individuals near the application areas.



Make sure to follow the directions provided in the Fumigation Manual that is supplied with your purchase of fumigant products. Ironically, mice utilized the labels from these stored fumigant containers to make their winter nests. Contact the dealer or manufacturer for replacement labels if needed.

According to the agreement, each plan must include site evaluation for safety measures, emergency procedures, fumigant monitoring and notification provisions. More specifically, the plans should include the following information:

- Basic information about the facility and the commodity being treated: Included in this section should be a sketch of the facility and information about evacuation routes, emergency utility shut-offs and locations of telephones. A list of emergency contacts, and a list of company officials should be included here as well. Finally, list the purpose and dosage of the application.
- Personnel training and notification: A written record must be kept that indicates that all personnel have been notified of the application and know what to do in case of an emergency. Have all applicable personnel read the label and fumigant manual? The plan must ensure that they are aware of the hazards that may be encountered.
- Monitoring: Develop a monitoring plan based on the type of fumigation activity being performed. Levels of phosphine gas monitored during the application will

ensure safety and efficacy. In many situations, the levels found outside each location (especially during aeration) must be recorded. Levels monitored inside the fumigated structure can insure proper gas concentrations to achieve the best pest control.

- Notification of Authorities: Document when you notified local authorities and prepare an emergency response plan. Have the receivers of fumigated transit vehicles been notified and appropriately trained?
- Sealing Procedures: Describe how the area to be treated will be sealed to prevent off-target movement. Examine a building plan to see if construction/renovation has altered the building to make it unsuitable for fumigation. Document that warning placards have been placed on every entrance.
- Application Procedures and Fumigation Period: Make a plan that outlines all procedures during the application, including the number of persons involved and how they are to be supervised. Remember to follow OR-OSHA rules regarding confined spaces and to follow all additional label precautions, such as turning off all electric lights and non-essential electric motors.
- Post-Application Operations: Write down a plan for after the fumigation is over. For example, how will you keep unauthorized persons from getting close during the aeration process? Who will be responsible for removing warning placards?

The above information represents a brief (and incomplete) list of your requirements to prepare a plan when using aluminum or magnesium phosphide products. For a full description, consult the Fumigant Manual that comes with your purchase of these products. The Applicator's Manual is considered part of the product label and is required by state and federal law to be provided at the time of sale or distribution. Failure to provide complete product labeling at the time of sale or distribution is considered distributing a pesticide product that is misbranded. Distribution of a misbranded pesticide is a violation of state and federal law and may subject you to enforcement action. Furthermore, as a pesticide user, failure to prepare and maintain a fumigation management plan prior to use is considered using a pesticide product inconsistent with labeling. This too is considered a violation of state and federal law.

To assist users with these label requirements to prepare a fumigation management plan, the Nebraska State Department of Agriculture has developed a more complete resource for assisting with this requirement. Their web site has a more detailed requirements summary and a sample form that you could use to fulfill the plan requirements. <http://www.agr.state.ne.us/division/bpi/pes/fmp.htm>

These pesticide products are valuable tools to many agricultural and non-agricultural operations, but can pose

serious risks if not used properly. With good planning, you can avoid accidents and dangerous situations when working with aluminum and magnesium phosphide.

If you have any questions about the sale, use or distribution of these products, please contact the Oregon Department of Agriculture, Pesticides Division (503) 986-4635 for assistance.

METHAMPHETAMINE AND ANHYDROUS AMMONIA ADDITIVES

Meth is a growing problem, not only in Oregon, but in the U.S. and the world. Meth is an illegal drug that can be made in small makeshift labs using various chemical components. One ingredient used in meth production is anhydrous ammonia, which is often stolen from farmers who are fertilizing their crops. Reducing the ability of meth cooks to get and use anhydrous ammonia is one of many efforts to reduce the overall availability of meth. In 2005, the Oregon Legislature passed House Bill 2485, which gave ODA the responsibility to certify additives that could make anhydrous ammonia "nonreactive, unusable or undesirable" for use in making meth and formed the Anhydrous Ammonia Additive Review Committee to evaluate these materials.

Compared to many other drugs meth is relatively cheap, easy to make, and highly addictive. Rural areas are especially attractive to meth "cooks" who look for places where neighbors are far enough away that they are less likely to notice strange smells and unusual patterns of traffic. For example, in 2004, the Oregon county with the highest number of meth labs per capita was relatively rural Umatilla County. Even though Umatilla County has only about 2% of Oregon's population, the county had nearly one-quarter of all of Oregon's meth lab busts in 2004. Last September the White House drug czar's office named Umatilla County a High Intensity Drug Trafficking Area.



Anhydrous ammonia tanks left unattended in the field can be used by meth "cooks" to obtain one of the necessary ingredients to manufacture the illegal drug.

In Oregon, 85 percent of property crime, as well as most muggings, car thefts and identity thefts, have been linked to meth. An estimated 50 to 60% of kids in Oregon's foster care system are from meth houses. A 2004 study in Multnomah

County estimated the costs of meth—meth-related property crime, foster care, meth lab fires, health care, and meth house and lab dumpsite clean up—came to \$363 per household. These indirect costs were not seen as a tax bill, but as higher insurance rates, retail prices, health care costs, and other economic losses. This “meth tax” was higher than the Multnomah County average income tax per household of \$355. A portion of that income tax payment also went toward the costs of meth in court, police and jail costs.

As part of an overall strategy to combat Oregon’s meth problem, the Anhydrous Ammonia Additive Review Committee met for the first time in Pendleton on January 23rd to develop standards for certifying anhydrous ammonia additive products and review the scientific and economic data for individual anhydrous ammonia additives submitted to ODA. This committee is made up of representatives of ODA, the State Police, OSU Extension Service, Oregon Wheat Growers League, anhydrous ammonia manufacturers, retail distributors of anhydrous ammonia fertilizers, and farmers who use anhydrous ammonia fertilizer.

LARGEST CIVIL PENALTY ISSUED

The Oregon Department of Agriculture has issued a civil penalty in the amount of \$151,626 to the Cascade Division of Western Farm Service Inc., headquartered in Tangent, for 191 pesticide-related violations that occurred from 2002 to early 2005. The violations include sales of restricted-use pesticides to unlicensed applicators, falsification of records, and selling restricted use pesticides without a pesticide dealer license. The civil penalty is the largest issued by ODA for violations of Oregon’s Pesticide Law.

The penalty stems from investigations performed by ODA’s Pesticides Division, which conducted routine investigations of “restricted use” product sales. Some of these investigations were initiated due to the death of migratory geese in 2005 from exposure to zinc phosphide used as a rodenticide in the Willamette Valley.

Violations occurred at five separate Western Farm Service stores in the Willamette Valley, including stores in Ballston, Carlton, Hopmere, Hubbard, and Rickreall.

Over the course of 15 months, the Western Farm Service store in Hubbard sold “restricted use” pesticide products without having the required pesticide dealer license. ODA documented 128 separate sales of “restricted use” products during that time. Each sale is counted as a violation. Among the five Western Farm Service stores, ODA documented 62 counts of selling a “restricted use” product to unlicensed individuals, and one count of falsification of required sales records.

Western Farm Service has cooperated with ODA and is working with the department to ensure current and future

compliance with Oregon’s Pesticide Law.

For more info, contact Dale Mitchell at (503) 986-4646.

NEW WPS MANUAL

In September 2005, EPA released a revision of the manual entitled “How to Comply with the Worker Protection Standard for Agricultural Pesticides - What Employers Need to Know.” This manual replaces the 1993 version and contains important updates.



You can obtain a copy free of charge by calling the National Service Center for Environmental Publications at 1-800-490-9198. Be sure to ask for Publication # EPA/735-B-05-002.

The manual is also available for free download from the EPA web site: <http://www.epa.gov/agriculture/htc.html>

DON'T DUMP YOUR JUNK

Most of us learned at a fairly young age that littering is bad. Apparently, this important lesson managed to escape whoever left these empty Lorsban boxes and containers in this ditch near Shedd.



Discarded Lorsban containers blemish the image of agricultural operations in Oregon.

Options are available for the proper disposal of pesticide containers, including container recycling. The ODA Pesticides Division web site has contact information for container recycling. A somewhat less desirable option is sending the containers to the landfill. Contact your local

landfill to confirm they will accept the containers. In Oregon, plastic container burning is not allowed.

Perhaps it is significant that these containers were found near a fork in the road. Maybe next time the offender will choose the “right path” and dispose of the containers in a safe and legal manner. This illegal disposal is currently under investigation by ODA and State Police.

PURS HOUSEHOLD SURVEY

As part of the Pesticide Use Reporting System (PURS), Oregon Department of Agriculture is conducting a survey to estimate pesticide use by households. The survey involves recruiting random participants from all areas of the state on a quarterly basis. Participants are mailed a “diary” to track their pesticide use for three months and are contacted periodically by phone to follow up on their progress.

The survey for the first quarter of 2006 includes 435 households. Based on similar surveys in the past, it is expected that approximately 250 participants will complete and return the diary.

SIGNUP SHEETS

As the Pesticides Division continues to familiarize itself with our new licensing program, we keep finding places where the new system does not integrate well with our old ways. Take for example our recertification sheets; the new license number does not fit on the sheets in its entirety. For now, we ask you to just write the numeric portion on the signup sheets (just like you used to).

“What we call ‘Progress’ is the exchange of one nuisance for another nuisance” - Havelock Ellis (1859 - 1939).

In this example Private Applicator John Doe with license number AG-L0017392PAL would sign the sheet as follows:

OREGON DEPARTMENT OF AGRICULTURE
 RECERTIFICATION ATTENDANCE RECORD
 SESSION NAME: Society of American Florists - 22nd Annual Pest Management Conference - Ninez Tour
 LOCATION: Norwalk CA DATE: 2/16/2006
 OPERATOR: Laura Weaver SPONSOR: Society Of American Florists

PLEASE PRINT CLEARLY			
LAST NAME	FIRST	MI	SIGNATURE
Doe	John	B	John Doe

APPLICATOR LICENSE NUMBER (CIRCLED): 17392

Enter only the numeric portion of your license number on Oregon recertification sheets.

MOCAP EC ON SNAP BEANS

Mocap EC has been registered for use to control symphylans in snap beans for at least 17 years. Most recently, directions for use were only provided on a Federal Supplemental label, and not on the main label affixed to the container.

Because of concerns associated with the EC formation, Bayer CropScience has voluntarily cancelled a number of uses, including the use on snap beans. The cancellation became final on February 3, 2006, and the Federal Supplemental label with directions for use on snap beans is now invalid.

It is well recognized that symphylans are very difficult to control, and growers have very few options. The snap bean industry and OSU-Extension specialists have expressed serious concerns over the cancellation of Mocap EC (EPA Reg. No. 264-458).

After discussions with EPA and Bayer CropScience, the Oregon Department of Agriculture has granted a Special Local Need (SLN) registration under FIFRA Section 24c for the use of Mocap EC on snap beans, OR-060010. You must have the SLN label in your possession when you make the application.

DEALERS: CHECK LICENSE CATEGORIES

Pesticide Dealers play an important role in controlling the sale and distribution of restricted-use pesticides (RUPs) in Oregon. Dealers are required to prepare and maintain specific record information for each sale or distribution of a RUP, ensuring that RUPs only end up in the hands of properly licensed certified applicators or consultants. Dealers must also verify that the purchasers’ license identifies the appropriate category for the product’s labeled use. An example of an unlawful distribution would be selling or distributing a RUP rodenticide to a certified applicator with the agriculture herbicide category. In this case, the certified applicator would need the agriculture vertebrate pest category. Another example might be the sale or distribution of a RUP to a licensed consultant that does not have the Research and Demonstration endorsement. Please note that many RUPs identify labeled uses that span multiple license categories. For example, forestry products might also contain right-of-way uses listed on the label. These products may be sold or distributed to individuals with either the forest or right-of-way category. While private applicator licenses do not identify specific license categories, dealers are encouraged to inquire with the purchaser information about the intended use, to help prevent potential misuse of the product.

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	Location	Class Name	Cr	Contact Phone
3/15/06	McMinnville, OR	OR-OSHA - Hazard Communication Workshop #205	3	(503) 947-7443
3/15/06	McMinnville, OR	OR-OSHA - Worker Protection Standards (Core) Tng #401	4	(503) 947-7443
3/16/06	Portland, OR	OR-OSHA - Hazard Communication Workshop #205	3	(503) 947-7443
3/17/06	Albany, OR	Wilbur-Ellis Company - Row Crop Meeting	3	(541) 936-1102
3/21/06	Corvallis, OR	OSU Weed Research in Grass Grown for Seed, Wheat, and Meadowfoam	3	(541) 737-4715
3/22/06	Astoria, OR	OR-OSHA - Hazard Communication Workshop #205	3	(503) 947-7443
3/22-3/24/06	St. Louis, MO	PCT Rodent Management Summit	14	(800) 456-0707 x218
3/23/06	Mist, OR	Columbia Soil and Water District - Beautiful Invaders: Ornamental Noxious Weeds	1	(503) 397-4555 x106
3/27-3/29/06	San Diego, CA	Western Aquatic Plant Management Society	V	(360) 642-2031
3/28/06	Saint Helens, OR	Columbia Soil and Water District - Beautiful Invaders: Ornamental Noxious Weeds	1	(503) 397-4555 x106
3/29-3/30/06	Bellingham, WA	WSU IPM & Pesticide Safety	12	(253) 445-4577
3/29/06	Little Rock, AR	Industrial Fumigant Company - Food Industry Pest Management Conference	8	(913) 782-7600
4/1/06	Salem, OR	Chemeketa Community College - Calibration for Accuracy of Pesticide Application (Core)	4	(503) 399-5139
4/4/06	Newport, OR	OR-OSHA - Hazard Communication Workshop #205	3	(503) 947-7443
4/6/06	Eugene, OR	OSU Ext Weeds or Wildings	2	(541) 682-7313
4/8/06	Salem, OR	Chemeketa Community College Spanish Applicator Training (Core)	6	(503) 399-5139
4/18/06	Beaverton, OR	OR-OSHA - Hazard Communication Workshop #205	3	(503) 947-7443
4/20/06	Eugene, OR	OSU Ext Garden Diseases	2	(541) 682-7313
4/20/06	Salem, OR	Chemeketa Community College - Forestry Pesticide Review	8	(503) 399-5139
4/22/06	La Grande, OR	Oregon State University Extension - Tree School East	TBD	(541) 963-1061
4/22/06	Salem, OR	Chemeketa Community College - Weed Identification and Management	4	(503) 399-5139
4/26/06	Coos Bay, OR	OR-OSHA - Hazard Com Wkshp #205	3	(503) 947-7443
4/27/06	Staunton, VA	DeGesch Pesticide Recert Smnr	8	(540) 234-9281
5/3/06	Salem, or	Chemeketa Community College Laws & Safety Review	8	(503) 399-5139
5/6/06	Salem, OR	Chemeketa Community College - Plant Disease Management	4	(503) 399-5139
5/9/06	Portland, OR	OR-OSHA - Hazard Communication Workshop #205	3	(503) 947-7443
5/18/06	Salem, OR	Chemeketa Community College - Forestry Vegetation Management	4	(503) 399-5139
5/20/06	Salem, OR	Chemeketa Community College - Wood Destroying Organism Inspection & Evaluation	6	(503) 399-5139
5/20/06	Salem, OR	Chemeketa Community College Private Applicator Training	6	(503) 399-5139
5/24/06	Klamath Falls, OR	OR-OSHA - Hazard Com Wkshp #205	3	(503) 947-7443
6/2/06	Salem, OR	Chemeketa Community College - Worker Protection Standards (Core)	4	(503) 399-5139
6/5/06	Salem, OR	Chemeketa Community College Ornamental & Turf Herbicide Review	8	(503) 399-5139
6/7/06	LaGrande, OR	OR-OSHA - Worker Protection Standards (Core) Tng #401	4	(503) 947-7443
6/14/06	Grants Pass, OR	OR-OSHA - Hazard Com Wkshp #205	3	(503) 947-7443
8/16/06	Salem, OR	OR-OSHA - Worker Protection Standards (Core) Tng #401	4	(503) 947-7443
8/16/06	Medford, OR	OOSHA Hazard Com Wkshp #205	3	(503) 947-7443
8/22/06	Eugene, OR	OR-OSHA - Hazard Communication Workshop #205	3	(503) 947-7443
8/22/06	Eugene, OR	OR-OSHA - Worker Protection Standards (Core) Tng #401	4	(503) 947-7443
8/22-8/23/06	Kansas City, MO	Industrial Fumigant Company - Food Industry Pest Management Conference 2 Days	15	(913) 782-7600
9/12/06	Roseburg, OR	OR-OSHA - Hazard Com Wkshp #205	3	(503) 947-7443
10/3-10/4/06	Atlanta, GA	Industrial Fumigant Company - Food Industry Pest Management Conference 1 1/2 Day	10	(913) 782-7600

ACTIVE AND PENDING SECTION 18 EXEMPTIONS

Crop	Pest	Product	EPA Reg #	Start Date	End Date
Apples	fire blight	FlameOut	80990-1-4581, 80990-1-82695	Pending	
Apples	fire blight	Mycoshield	55146-97	Pending	
Blueberries	mummy berry disease	Indar 75 WSP	62719-421	3/16/06	5/31/06
Cranberries	broadleaf weeds	Callisto	100-1131	Pending	
Dry bulb onions	onion thrips, western flower thrips	Carzol Insecticide	10163-265	Pending	
Hazelnuts	eastern filbert blight	Orbit Fungicide	100-702	2/15/06	5/30/06
Honey bees	varroa mite	ApiLife VAR	N.R.	Pending	
Honey bees	varroa mite, small hive beetle	CheckMite+ Bee Hive Pest Strips	N.R.	2/1/06	2/1/07
Hops (baby)	garden symphylans	Mocap EC	264-458	3/15/06	5/31/06
Lentils	aschochyta blight	Mertect 340-F	100-889	Pending	
Lentils	aschochyta blight	Gustafson LSP	7501-134	Pending	
Lentils	aschochyta blight	LSP Flowable Fung.	264-948	Pending	
Mushrooms	green mold	Topsin M 70WP	4581-403,73545-11	10/19/05	10/25/06
Orchardgrass-seed	western orchardgrass billbug	Capture 2EC	279-3069	Pending	
Strawberries	broadleaf weeds	Spartan 4F	279-3220	3/15/06	2/28/07
Sugar beets	beet leafhopper (BCTV vector)	Poncho 600	264-789	1/20/06	7/31/06
Turnip/rutabaga	cabbage maggot	Regent 4SC	7969-207	Pending	
Winter squash	hairy nightshade, black nightshade	Outlook	7969-156	Pending	

INTERNET CLASSES

Class Name	Cr	Contact Phone
OR-OSHA - Hazard Communication Workshop #205	3	(503) 947-7443
OR-OSHA - PPE Wkshp #203	3	(503) 947-7443
Davey Tree Lndscp/Grnd Mtc.	8	(330) 673-9511
Davey Tree Line Clearance	15	(330) 673-9511
OSU Home -A- Syst Pesticide Exercise	1	(541) 737-6295
Pestnetwork - Principles of IPM in Field Crops	1	(512) 990-3216
Pestnetwork - Sucking Pests of Ornamental Shrubs	1	(512) 990-3216
Pestnetwork - Environmental Protection	1	(512) 990-3216
Pestnetwork - Pesticide Families	1	(512) 990-3216
Pestnetwork - Pest Control on Lawns and Turf	1	(512) 990-3216
Pestnetwork - Grasshoppers on Pastures and Range	1	(512) 990-3216
Pestnetwork - Pesticide Applicator Safety	1	(512) 990-3216
Pestnetwork - Managing Pesticide Drift	1	(512) 990-3216
Pestnetwork - Small Vertebrate Pests	1	(512) 990-3216
Pestnetwork - EPA and Pesticide Application	1	(512) 990-3216

Class Name	Cr	Contact Phone
Pestnetwork - FIFRA and Pesticide Application	1	(512) 990-3216
Pestnetwork - The Greenbug	1	(512) 990-3216
Pestnetwork - Wood Beetles That Reinfest	1	(512) 990-3216
Pestnetwork - Wood Beetles That Will Not Reinfest	1	(512) 990-3216
Pestnetwork - Cockroaches in and Around the Home	1	(512) 990-3216
Pestnetwork - Life Hist and Habits of Carpenter Ants	1	(512) 990-3216
WSU - Weed Identification & Management (Part I)	1	(509) 335-9222
WSU - Weed Identification & Management (Part II)	1	(509) 335-9222
WSU - Introduction to Public Health Pest Control	1	(509) 335-9222
WSU - Wildlife, Rights of Way & Pesticide Labeling	1	(509) 335-9222
WSU - Integrated Noxious Weed Basics	1	(509) 335-9222
WSU - Plant Problem Diagnosis	1	(509) 335-9222
WSU - Recog & Encouraging Beneficial Insects	1	(509) 335-9222
WSU - Bioctrl of Rush Skeleton & Poison Hemlock	1	(509) 335-9222
WSU - Biocontrol of Diffuse and Spotted Knapweed	1	(509) 335-9222

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

Activities from September 2005 - March 2006

Granted					
Registrant	Product	Crop	Pest	EPA Reg #	OR SLN #
BASF	Prowl H2O	alfalfa grown for seed	weeds	241-418	OR-060005
Dow Agro	Rally 40W	blackberry, evergreen	blackberry rust	62719-411	OR-060011
BASF	Prowl H2O	carrots grown for seed (Layby use)	dodder and other weeds	241-418	OR-060009
Bayer Crop	LSP Flowable	chickpeas	aschochyta blight (seedborne)	264-948	OR-060002
BASF	Prowl H2O	clover grown for seed	dodder	241-418	OR-060006
Dow Agro.	Goal 2XL	clover grown for seed	weeds	62719-424	OR-050028

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

Syngenta	Quadris Flowable Fungicide	clover grown for seed	sclerotinia crown rot and wilt	100-1098	OR-050029
Bayer Crop	LSP Flowable	crimson clover grown for seed	seedborne northern anthracnose	264-948	OR-060003
Bayer Crop	Flint Fungicide	crimson clover grown for seed	sclerotinia crown rot	264-777	OR-050030
BASF	Prowl H2O	dry bulb onion	dodder	241-418	OR-060008
Bell Labs	ZP Rodent Bait AG	grass grown for seed	voles and mice (below ground only)	12455-17	OR-050031
HACCO	Prozap Zinc Phosphide Pellets	grass grown for seed	voles and mice (below ground only)	61282-49	OR-050032
Arvesta	Everest 70% WDG Herbicide	K. bluegrass gr. for seed (estab. yr.)	wild oats and other weeds	66330-49	OR-050027
FMC	Capture 2EC	parsley grown for seed	insects and mites	279-3069	OR-900009
Bayer Crop	Mocap EC	snap beans	symphyllans	264-458	OR-060010
BASF	Prowl H2O	strawberries (non-bearing)	dodder	241-418	OR-060007
Syngenta	Dual Magnum	table beets and other crops	weeds	100-816	OR-060012
Arizona Chem.	Times-UP T/C	w. red cedar & doug fir seed orchard	w. cedar cone midge & dioryctria contortella	55431-3	OR-060004

Pending					
Registrant	Product	Crop	Pest	EPA Reg #	
Wilbur-Ellis	Diazinon 14G	cranberry	cranberry girdler	2935-408	
AMVAC	Blocker 4F Fungicide	potato	white mold and black dot	5481-472	
Syngenta	Platinum	potato (chemigation)	colorado potato beetles and aphids	100-939	

Canceled or Withdrawn					
Registrant	Product	Crop	EPA Reg #	OR SLN #	Reason
Bayer Crop	Sencor 4	alfalfa	3125-314	OR-850019	On main label
Bayer Crop	Guthion Solupak 50% WP in WSPs	alkali bee beds	3125-301	OR-990049	On OR-040020
Gowan	Onager	alfalfa grown for seed	mites	10163-253	Withdrawn (on main label)
Bayer Crop	Di-syston 8 Emulsifiable Insecticide	asparagus	3125-307	OR-840032	On OR-040030
Bayer Crop	Axiom DF Herbicide	Christmas Trees	3125-488	OR-020001	On OR-040017
Rohm and Haas	Kelthane MF	Christmas Trees	707-202	OR-880012	On OR-020031
Aventis	Aventis Rovral brand 4 Flowable Fungicide	clover grown for seed	264-482	OR-020011	On OR-050002
Aventis	Aventis Rovral Fungicide	clover grown for seed	264-453	OR-020012	On OR-050003
Bayer Crop	Rovral Fungicide	clover grown for seed	264-453	OR-050003	Not produced
Aventis	Ethrel brand Ethephon Plant regulator	Douglas fir seed orchards	264-267	OR-020006	On OR-040015
Monsanto	Roundup UltraMAX RT Herbicide	dry peas, lentils & chickpeas	524-512	OR-020020	
FMC	Aim Herbicide	grass grown for seed	279-3194	OR-000004	On main label
Dow AgroSciences	Starane	grass grown for seed	62719-286	OR-990043	On main label
HACCO	Prozap Zinc Phosphide Pellets	grass grown for seed	61282-49	OR-050021	Was temporary
Bell Labs	ZP Rodent Bait AG	grass grown for seed	12455-17	OR-050022	Was temporary
R&M Exterminators	Zinc Phosphide on Oats	grass grown for seed	4271-16	OR-050023	Was temporary
R&M Exterminators	Zinc Phosphide on Oats	grass grown for seed	4271-16	OR-050033	Was temporary
Bayer Crop	Admire 2F	hybrid poplars	264-758	OR-030014	On main label
Bayer Crop	Nemacur 3 Emulsifiable Systemic	iris and lily bulbs	3125-283	OR-800063	On OR-040021
Dow AgroSciences	Lorsban 4E	mint	62719-220	OR-940027	On main label
Rohm and Haas	Goal 2XL	onions	707-243	OR-970008	On OR-020027
Wilbur-Ellis	Digon 400	pea (dry and succulent)	2935-523	OR-970019	No reason given
Bayer Crop	Bayleton 50% Dry Flowable Fungicide	poplar trees	3125-320	OR-930012	On OR-040016
Bayer Crop	Di-Syston 8	poplar trees/nursery	3125-307	OR-910027	On OR-040030
Bayer Crop	Sencor 4 F	potatoes	3125-314	OR-810039	On main label
Bayer Crop	Sencor DF	potatoes	3125-325	OR-810040	No reason given
Rohm and Haas	Goal 2XL	raspberry	707-243	OR-960037	On OR-020025
Baker Petrolite	Magnacide H	various	10707-9	OR-950002	No reason given
Bayer Crop	Stratego Fungicide	wheat - spring and winter	3125-562	OR-030005	On OR-040023

PESTICIDE VIOLATIONS

Notices of Violation Issued

Party Cited	Violation*
Ag West Supply	ORS 634.372(17)
Alpha Pest Control	ORS 634.372(7)
Andy's Custom Work	ORS 634.372(9)
Best Choice Lawn Care	ORS 634.372(9)
Biggs, M.R.	ORS 634.372(8)
Cavalli, Richard	ORS 634.372(10)
Coria Contracting	ORS 634.372(5,9)
Coria, Luis	ORS 634.372(8)
Courtney, Chris	ORS 634.372(8)
Crumrine, Caleb	ORS 634.372(4)
Damonte, Steve	ORS 634.372(4)
Decoe, Jacob	ORS 634.372(4)
Eaves, Elliott	ORS 634.372(4)
Ecolab Pest Elimination	ORS 634.372(5)
Farmers Aerial Applicators	ORS 634.372(4)
Handschuh, Jon	ORS 634.372(8)
Hanson, Chad	ORS 634.372(3)
Harper, Dean	ORS 634.372(4)
Heiman, Rick	ORS 634.372(4)
Horizon	ORS 634.372(17)
Horning Farms	ORS 634.372(4)
Ingrassi, Michael	ORS 634.372(10)
Jennings, James	ORS 634.372(4)
Johnston, Keith	ORS 634.372(4)
Landservices, Inc.	ORS 634.372(9)
Living Color Landscape	ORS 634.372(9)
Martin, Dalin	ORS 634.372(8)
Mateski, John	ORS 634.372(4)
Naturchem	ORS 634.372(9)
Nursery Connection	ORS 634.372(17)
Pacifica West Corp	ORS 634.372(9)
Regal Chemical Co	ORS 634.372(17)
Root, Andy	ORS 634.372(8)
Sneer, Scott	ORS 634.372(7)
Speciality Spray & Landscape Service	ORS 634.372(9)
Starr Agricultural Products	ORS 634.372(2)
Starr, Stanley	ORS 634.372(4)
Teufel Nursery	ORS 634.372(17)
Valdes, Roland	ORS 634.372(7)
Valley View Farming	ORS 634.372(5)
Walterville Feed & Tackle	ORS 634.372(17,19)
Western Farm Service, Carlton	ORS 634.372(5)
Western Farm Service, Hopmere	ORS 634.372(5)
Western Farm Service, Hubbard	ORS 634.372(5)
Western Farm Service, Rickreall	ORS 634.372(5)
Western Helicopter Services	ORS 634.372(3,4)

Civil Penalties Issued

Party Cited	Violation*	Amount
Bugs No More	ORS 634.372(9)	\$440.00
Lamm, Joseph	ORS 634.372(8)	\$220.00
Mendoza, Raul	ORS 634.372(4)	\$814.00
Moore, John D.	ORS 634.372(8)	\$260.00
Mr. Bug Pest Control	ORS 634.372(9)	\$220.00
Western Farm Service, Ballston	ORS 634.372(2)	\$11,100.00
Western Farm Service, Carlton	ORS 634.372(2,6)	\$5,550.00
Western Farm Service, Hopmere	ORS 634.372(2)	\$1,665.00
Western Farm Service, Hubbard	ORS 634.372(2,11)	\$31,110.00
Western Farm Service, Rickreall	ORS 634.372(2)	\$61,161.00

Note: All Notices of Violation and Civil Penalties listed in the above tables are considered "Final order issued."

*Pesticide Violations:

- ORS 634.372(2) - As a pesticide applicator or operator, intentionally or willfully apply or use a worthless pesticide or any pesticide inconsistent with its labeling, or as a pesticide consultant or dealer, recommend or distribute such pesticides.
- ORS 634.372(3) - Operate a faulty or unsafe pesticide spray apparatus, aircraft or other application device or equipment.
- 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(6) - Make false, misleading or fraudulent records, reports or application forms required by the provisions of this chapter.
- ORS 634.372(7) - Operate pesticide applicators' apparatus, machinery or equipment without a licensed pesticide applicator or certified private applicator performing the actual application, or supervising such application if such is performed by a trainee. This prohibition does not apply to the operation of tractors, trucks or other vehicular equipment used only under the supervision of a certified private applicator.
- 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(10) - As a pesticide trainee, work or engage in the application of any class of pesticides without first obtaining and maintaining a pesticide trainee's certificate.
- ORS 634.372(11) - Act as, or purport to be, a pesticide dealer or advertise as such without first obtaining and maintaining a pesticide dealer's license.
- 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.



ODA Pesticide Quarterly
Pesticides Division

Oregon
Department
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635 Capitol Street N.E.
Salem, OR 97301-2532

- Webpage: <http://oregon.gov/ODA/PEST>
- PH: (503) 986-4635
- FAX: (503) 986-4735
- TTY: (503) 986-4762

JUDGE REMOVES COHO BUFFERS

In response to a stipulation submitted on March 10, 2006, Judge John Cougenhour of the United States District Court Western District of Washington at Seattle ordered the removal of the Oregon Coast Coho Salmon ESU (Evolutionary Significant Unit) from the list of waterways subject to pesticide buffer zones. The buffer zones were initially established in 2004 through federal court action in the Washington Toxics Coalition vs. Environmental Protection Agency case. The recent action effectively removes all waterways in Coos, Douglas, Lincoln and Tillamook completely from the original order and removes certain waterways in Benton, Clatsop, Columbia, Curry, Lane, Polk, Yamhill and Washington Counties.

The stipulation was prepared in response to a Recent NOAA Fisheries decision that they would no longer seek to list Oregon Coast Coho under the Endangered Species Act. All other ESUs, including the Southern Oregon/Northern

California Coho ESU were unaffected by this change.

Oregon Department of Agriculture currently maintains a website with information on this court order as a resource for pesticide applicators. We will be updating the website with information on this most recent change to the affected waterways.

<http://oregon.gov/ODA/PEST/>

