

*What's New in Pesticides & How  
Misuse & Bad Habits Can Haunt  
You*



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# *What's New and What's Not?*



- **Misuse**
- **Drift Issues**
- **Bad habits**
  
- **New in pesticides**

# *Misuse & Mistakes 2008*



- **Investigation Activities**
  - **Intentional misuse**
  - **Mistakes**
  - **Food crops involved**
  - **Complicated**
  - **Costly**

# *Misuse on Food/Feed Crops*



- **Pesticides used off-label on crop**
- **All active ingredients must have tolerances**
- **Crop is “adulterated” if an active ingredient is present without a tolerance**

# *Misuse on Food/Feed Crops*

- **If a food or feed crop is deemed to be adulterated, that commodity could be prohibited in commerce**
- **Agency has authority to issue an order to detain, embargo, or destroy it.**



# *Food Crops*

**ODA Authority**

**Food  
Safety**

**Pesticides  
Division**

# *Other Misuse & Mistakes 2008*



- **Geese and zinc phosphide**
- **Dogs killed by strychnine**
- **Not following buffers or setbacks**
- **Not following plant back restrictions**
- **Drift off target**

# *Drift*



- **Drift cases persisted this year**
  - Ag/Urban interface
  - Ag/Ag conflicts
- **Precautionary measures not taken**
  - Product choice
  - Weather conditions
  - Applicator errors



**Drift = possible  
adulteration**



# *Enforcement 2008*

- **240 investigations conducted**
  - **24% of them were complaint driven**
    - **66 cases out of 280 complaints**
  - **68 agriculture related**
  - **43 non-ag related**



# *Enforcement 2008*



- **Not our best year...**
  - **40 Civil Penalties**
    - **\$96,000+**
  - **78 Notices of Violation**
  - **22 cases referred to EPA for enforcement**

# *Outcomes*



- **ODA Enforcement**
- **Civil litigation**
- **Public alarm**
- **Tarnished reputations**

# *Bad Habits and Traps*



- **Not reading the label!!!!**
- **Excuses:**
  - I've been an applicator for 20 years
  - I've been applying this product for 10 years
  - My dealer, rep, etc would tell me if the label has changed
  - Asking others about the label without reading it yourself
  - I saw it at a meeting or field day

# *More Bad Habits and Traps*



- **Examples:**
  - **Not taking your time.**
  - **Not thinking about what you are doing.**
  - **Not wearing the correct PPE.**

# *More Bad Habits and Traps*



- **Examples:**
  - Not following buffers or setbacks
  - Not cleaning out sprayers adequately
  - Not following plant back restrictions
  - Not reading and following the **DO NOT** sections of the label
  - Products look the same so....

**Don't wait till  
it's too late...**

**Always read and  
follow the label  
instructions!**



**“I used a chemical I shouldn’t have”,  
he said, “My eyes were bad and it was  
the first job of the season and I was  
anxious to get the job done. But I’ve  
used the stuff for years and I’ve never  
had any trouble.”**

Wyoming Department of Ag case 2008

# *Additional Regulations*

- **Unfortunately, when there is misuse:**
  - **all pesticide users are painted with the same brush**
  - **Additional regulations keep on coming...**
    - **Dealer requirements for Furadan**
    - **Additional restrictions being considered for other products**

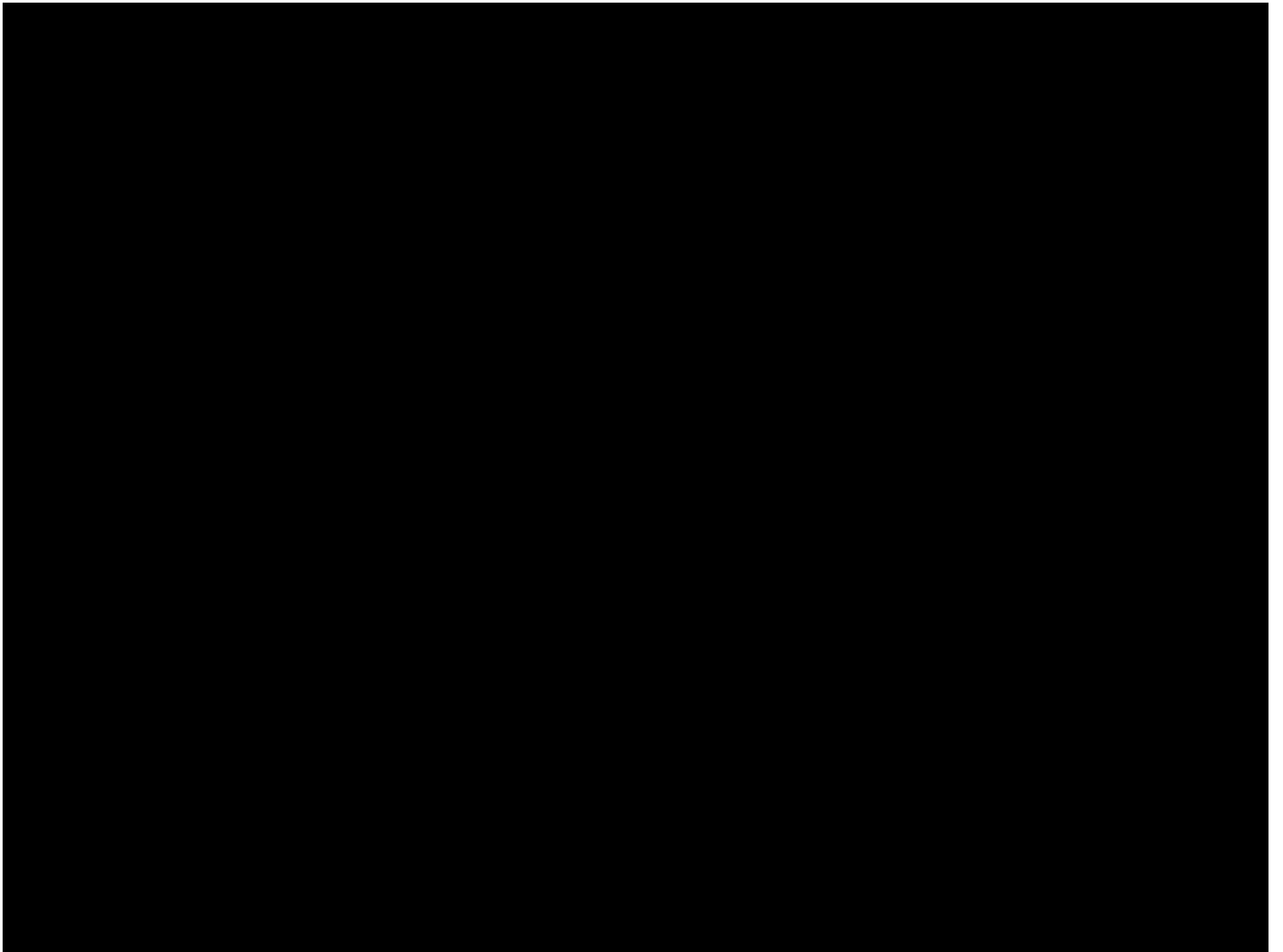
## *Additional Regulations*

- **\$10,000 civil penalty authority**
- **Willful misconduct or gross negligence**
- **2009 legislature may consider additional measures to address pesticide violations.**

# *There is Hope*



- **Most applicators are making legal applications**
  - Unfortunately they don't make the news
- **Applicators need to monitor their own industries & their own employees**
- **Applicators need to think about how they are viewed by others - yes, someone is watching.**



# *There is Hope*



- **Make a positive impact**
- **Help your industry**
  - **Many are affected by the actions of few**
    - **Bad news travels far & wide**
  - **Prevent further use restrictions or cancellations**

## *You can always ask...*

- **Not sure about a recommendation or a label statement?**
- **Call ODA, we'll review the label and provide an interpretation**
- **Keep the interpretation in your records!**

# *2009 Year of Improvement*

- **Other activities being considered:**
  - **Waiting period between failed license exams**
  - **Changing Ag-Vertebrate Control to a major category to allow non-ag vertebrate control**
  - **Extend Directly Sup. Trainee licenses beyond 2 years**

# *2009 Year of Improvement*

- **Experimental Use Permit Process**
- **Add Research & Demonstration category**
- **Comm/Public applicators qualify for Private**
- **Address cheating, stealing exams, etc.**
- **Change recertification requirements**

# *Rodenticide Update*

- **December 2009**
- **Different requirements depending on**
  - Type of rodenticide - 1st generation, 2nd generation
  - Intended use
- **Bait stations required (non-ag above ground)**
- **Restrictions around homes**
- **Consumer products limited**

[www.epa.gov/pesticides/reregistration/rodenticides](http://www.epa.gov/pesticides/reregistration/rodenticides)

# *Water Quality*

- Water Quality Pesticide Management Team (WQPMT)
- Multi-agency (ODA, DEQ, DHS, ODF)
- Focused set of active ingredients.
- Managed and collaborative responses to monitoring data.



**(503) 986-4635 or [pestx@oda.state.or.us](mailto:pestx@oda.state.or.us)**

**Please read and follow ALL label directions!  
Let ODA help keep you out of trouble**

**[www.oregon.gov/ODA/PEST/](http://www.oregon.gov/ODA/PEST/)**

**Thank You and apply pesticides safely.**