

South Dakota Department of Agriculture Pesticide Applicator Newsletter

Winter 2004/2005 Issue 31



2005 Commercial Applicator Recertification Training

Commercial applicators should receive a certification and licensing packet from the Department of Agriculture in mid-December. Included is a listing of individual certification categories and the expiration date for those categories. This information will help you decide whether or not you need to attend a recertification session and which location to attend. Instructions for the pre-registration system are also included in the packet and on p.2 of this newsletter.

The certification and licensing packet contains a program listing the categories presented at each location. Check your certification needs and be sure to attend the appropriate location. Some of the training locations will have limited categories. Each applicator must insure that they have a valid license, with the proper category certifications to apply pesticides.

Notices were mailed to the most recent address we have on record. If you have a change of address, contact the department with those changes.

Please check the expiration date on your license. If it expires on February 28, 2005, you must submit your renewal by March 1, 2005 to avoid late fees.

It is important that applicators check in at the beginning of the recertification training. By checking in, applicators are automatically added to the list of attendees. Applicators who don't check in will not receive credit for attending. Verification of attendance for the entire session will be done with sign out sheets throughout the day.

Following are the dates and locations of the commercial sessions:

Ground Applicator Recertification

Yankton	Wednesday, January 19, 2005	Kelly Inn
Watertown	Thursday, January 20, 2005	Ramkota Inn
Aberdeen	Friday, January 21, 2005	Ramkota Inn
Mitchell	Monday, January 24, 2005	Davison Co. Ext. Center
Pierre	Tuesday, January 25, 2005	Ramkota Inn
Rapid City	Wednesday, January 26, 2005	Ramkota Inn
Sioux Falls	Monday, January 31, 2005	The Oaks Inn
Brookings	Tuesday, February 15, 2005	Brookings Inn

Pierre Thursday, February 24, 2005 (CAT 9) Public Health- Ramkota Inn

Aerial Applicator Convention and Recertification (Tri-State)

Mahnomen, MN February 15-17, 2005

Categories G, 1A, 1B, 1C and 7 presented at the aerial applicator recertification are specifically targeted to aerial applicators.

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From The Department...

Private Applicator Recertification Training

Private pesticide applicators should contact their local county extension educator for information on private applicator recertification training dates and locations. Training dates and locations can also be accessed on the web at http://plantsci.sdstate.edu/PAT/patdates/pest_list.cfm.

Those private applicators with access to the internet can become certified or renew their certification by taking the private applicator exam online. The exam is available through the Department of Agriculture's web site. The internet address to access the private applicator site is www.state.sd.us/doa/das/pwt.

Recordkeeping Requirements

Private pesticide applicators applying restricted-use pesticides are required by USDA to keep records of their pesticide applications. Private applicators are required to keep the following information:

- Brand or product name of RUP
- EPA registration number of RUP
- Total amount applied
- Size of the area treated
- Crop, commodity, product or site treated
- Location of the application
- Month, day and year of application
- Applicator's name and certification number

Federal law states that private applicators must complete their records no later than 14 days following the pesticide application and must be maintained for 2 years following the application.

Internet Pre-Registration System for Commercial Applicators



Internet pre-registration for commercial applicator meetings and for payment of training and licensing will again be used this year.

The system allows individuals or companies to sign up for classes in one or more locations. A company can pre-register for training and pay for licensing for all of the individuals under their employment. The user can then print a receipt that shows the dates and locations they registered to attend class. Users will need to use a MasterCard or Visa credit card for payment.

Users can use either the individual or company options available. The individual option asks for the applicator's ID number, which is the barcode number on their license. The system then shows which categories they need to recertify in and which locations offer those categories. Next, they will need to select a location and the classes they plan to attend and finally pay for their classes and licensing with one payment.

The company option is similar to the individual option, but the company can enter its name and see all the employees associated with it. The company

will then be able to select which individuals will attend class, where they will attend and pay for the classes along with the licensing for all employees.

In both cases, after payment is approved online, the user will be automatically directed to a receipt page that will detail their billing and the user will be able to print out a receipt for their records.

The two main advantages to this system are that at the end of the process, each applicator or company will pay only once for both the training fee and license fee and it provides the applicators with a better, more convenient service. Detailed instructions will be included in the pre-registration packet that was sent out in mid-December.

Applicators can also pay for classes via mail, but it costs \$30, rather than the \$20 fee if paid by internet.

The internet address to access the pre-registration is located on the Department of Agriculture's website at www.state.sd.us/doa/das/ecat/index.htm. If applicators do not have internet access, the local extension office or library may be able to provide internet access. Please contact the Department of Agriculture with any questions at 605/773-4432.

SOUTH DAKOTA PREPARED IF SOYBEAN RUST APPEARS

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) has confirmed the presence of soybean rust in Louisiana, Mississippi, Florida, Alabama and Georgia.

While these are the first instance of soybean rust to be found in the United States, the detection comes at a time when most soybeans have been harvested across the country. As a result of the harvest, the impact of the fungus could be minimal this year.

Soybean rust is caused by either of two fungal species, *Phakopsora pachyrhizi*, also known as the Asian species, and *Phakopsora meibomia*, the New World species. The Asian species, the one found in Louisiana, is the more aggressive of the two species, causing more damage to soybean plants.

USDA dispatched its soybean rust detection team, composed of scientific experts and regulatory officials. The assessment team worked closely with the Louisiana Department of Agriculture representatives to assess the situation and conduct surveillance around the detection site to determine the extent of the disease spread (by the time this goes to print, there will be more information about the findings in Louisiana).

Soybean rust is spread primarily by wind-borne spores capable of being transported over long distances. At this point in time, based on predictive models, APHIS believes that the detection in the U.S. is related to this year's very active hurricane season. While the harvest for this year is complete, during next year's season producers will need to scout fields and check forecasts. USDA and the soybean industry have been cooperating on awareness efforts and will amplify those efforts. Soybean rust produces two types of lesions; tan and reddish brown necrotic area, with a limited number of pustules and few visible spores on the lower leaf surface. Once pod set begins on soybean, infection can spread rapidly to the middle and upper leaves of the plant.



The South Dakota Department of Agriculture has been working closely with the U.S. Environmental Protection Agency (EPA) to obtain approval of fungicide products to control soybean rust under emergency exemptions. Soybean rust can be managed by the use of these fungicides. However, early detection is required for the most effective management of soybean rust.

Fungicide use in other countries has been effective in keeping soybean rust below economic threshold of yield loss. EPA has granted Section 18 exemptions for the use of myclobutanil and propiconazole to control soybean rust, should an outbreak occur. The products are *Loredo EC and Laredo EW*, both manufactured by Dow AgroSciences; *Tile*, manufactured by Syngenta; *Propimax* manufactured by Dow AgroSciences; *Bumber*, manufactured by Makhteshim-Agan and *Folicur 3.6F*, manufactured by Bayer Crop Science.

The South Dakota Department of Agriculture is working with the USDA and SDSU Extension with the development of a response plan in the event soybean rust is discovered in South Dakota. One of the main components of this response plan is where samples are sent. All samples suspected with Soybean rust should be forwarded to the local county extension office, or to the plant pathology lab at SDSU.

An extremely important aspect of the soybean rust response plan is the official positive confirmation of the sample before any press or media outlet is notified. This information has the potential to affect the markets, and there is a risk it could be wrong. Several other diseases appear similar and can easily be confused with soybean rust. In fact, there have already been false reports printed, which later confirmed to be another disease. The analysis process is expected to take a few days, and we ask the public's patient cooperation in this matter.

(continued on page 4 **RUST**)

ATRAZINE RESTRICTIONS

Nationwide, atrazine is an active ingredient that has been one of the most widely used herbicides. Much of the atrazine use in South Dakota is used in row crops and fall burndown. Atrazine has been found in surface and groundwater in South Dakota and other states, particularly in areas of high use. Additionally, some scientists have raised concerns over the potential human health effects of this chemical. To reduce the risk from this active ingredient, EPA and manufacturers of atrazine-containing products have recently signed a memorandum of agreement. This agreement establishes additional restrictions on atrazine.

Registrants of atrazine products must develop a website for information on atrazine and watersheds. New product labels must direct pesticide users to check this website for restrictions prior to using the product: <http://www.atrazine-watershed.info>. The agreement details how manufacturers are to deal with repackaging, relabeling and restickering existing stocks of products. New products have additional restrictions, including:

- All products containing more than 4% atrazine designated as a restricted use.
- Reduce maximum rates for many sites, including right of way turf.
- Maximum annual rate for conifers is 4 lbs ai/A.
- Personal protective equipment requirements vary for different activities and are dependent on formulation.
- Closed systems or water soluble packaging required for some formulations.
- Restrictions for aerial application including pilot, human flagger and mixing/loading.
- Specific buffer zones for mixing, loading and applications near wells and bodies of water.
- Construction requirements for mixing/loading pads.
- Additional precautions in tile-outletted fields.
- On-farm fertilizer impregnation with atrazine prohibited.

- prohibit the use of chemigation systems.
- Modify the pre-harvest interval for certain crops.
- Restrictions placed on homeowner use.

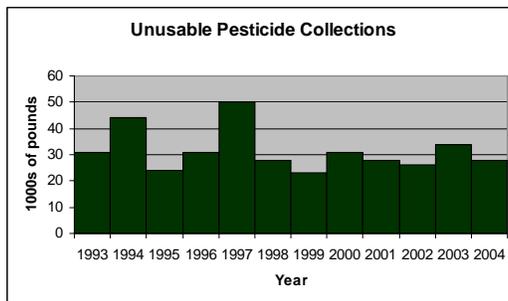
The agreement does not retroactively affect products already in the hands of end users. However, it does have provisions for the buyback of unopened products. If you have atrazine products, you may contact your retailer or manufacturer for more information on returning them. End users with old product will not be held to the new requirements set forth in the agreement. Always read and follow the pesticide labels.

RUST (Continued from page 3)

When soybean rust is confirmed in South Dakota, it is unlikely that a quarantine action will be implemented. Windborne spores produced from a large number of crops and weedy hosts will make a successful quarantine improbable. Whether to conduct an official delimiting survey will be determined in the future.

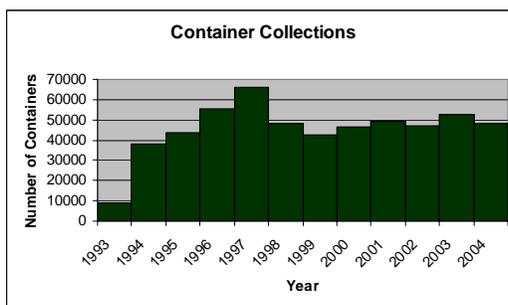
For more information, visit APHIS' Soybean rust "hot issues" Web site at www.aphis.usda.gov/lpa/issues/sbr/sbr.html. Additional information can be found at the National Plant Diagnostics Network <http://npdn.ppath.cornell.edu/SoybeanAlert.htm> or the American Soybean Association www.soygrowers.com/rust/default.htm. (Source: *USDA News Release, Release No. 0498.04 and South Dakota Department of Agriculture.*)

2004 PESTICIDE AND CONTAINER COLLECTION RESULTS



2004 Unusable Pesticide Collections

The Unusable Pesticide collections were held during the month of October at 2 sites across the state. The total amount of pesticide products collected was 28124 pounds. There were 135 registrants that attended the collections or arranged to have their pesticides picked up by the department. Since 1992, over 380,000 lbs. of unusable pesticides in South Dakota have been properly disposed of through this program.



2004 Pesticide Container Collections

The Pesticide Container collections were held in July and August at 30 sites across the state. There were a total of 48,271 containers collected at the 30 sites. All containers were taken to two permanent collection sites in either Pierre or Vermillion to be granulated. Since the program began in 1992, over 550,000 containers have been collected and recycled.

Useful Websites

- www.state.sd.us/doa/das - SD Department of Agriculture, Division of Agricultural Services
- http://plantsci.sdstate.edu/PAT/patdates/pest_list.cfm - Private Applicator Training Dates and Locations
- www.state.sd.us/doa/das/pwt - Private Applicator Internet Certification
- www.state.sd.us/doa/das/ecat/index.htm - Commercial Applicator Training Pre-registration
- www.epa.gov/pesticides/health/worker.htm - Worker Protection Standard
- www.aphis.usda.gov/lpa/issues/sbr/sbr.html - APHIS' soybean rust "hot issues"
- www.soygrowers.com/rust/default.htm - American Soybean Association
- www.atrazine-watershed.info - Website for atrazine users
- www.state.sd.us/doa/das/sec_18.htm -- South Dakota approved fungicides
- www.agprofessional.com/apweekly/asafunglist.pdf - website for fungicides.
- www.aghealth.org/results.html - Website for Retinal Degeneration.
- www.pestcon.com/techlibrary/fum_mgmt_plan -- Fumigation Management Plan website

Worker Protection Standard: Changes to glove restrictions

The federal Worker Protection Standard (WPS)



protects over three and a half million employees on farms, forests, nurseries, and greenhouses from exposure to pesticides. The WPS is designed to make working conditions safer by lowering the risk of pesticide poisonings among agricultural workers and pesticide handlers.

On September 1, 2004, EPA revised the Worker Protection Standard Glove requirements. The first change is to allow workers to wear disposable liners beneath their chemical-resistant gloves. The second change is to eliminate the requirement that aerial applicators wear chemical-resistant gloves when entering and exiting aircraft that have been used to apply pesticides. The revised requirements became effective on November 1, 2004.

All agricultural workers (field workers and pesticide handlers) are permitted to wear separable glove liners beneath chemical-resistant gloves.

- Workers may choose when to wear separable liners.
- Separable glove liners are defined as separate glove-like hand coverings made of lightweight material, with or without fingers.
- Flocked gloves continue to be prohibited by the WPS.
- The liners may not be longer than the chemical-resistant glove so that they do not extend outside of the glove.
- The liners must be disposed of after 10 hours of use, or at the end of a 24 hour period, whichever comes first.
- Agricultural pilots may choose to wear chemical-resistant gloves when entering or exiting aircraft, unless directed otherwise on the pesticide label.

For more information on the Worker Protection Standard, visit the EPA's website at <http://www.epa.gov/pesticides/health/worker.htm>.

A Fumigation Management Plan (FMP) is an organized, written description of the required steps to help ensure a safe, legal and effective fumigation. It will also assist you and others in complying with pesticide product label requirements. The requirement was established after the EPA and the registrants of pesticide fumigant products signed a Memorandum of Agreement in November 2000. Labels were amended in the Spring of 2004.

Why do I need a FMP?

The new label requires that **all** fumigations be performed in accordance with a written FMP.

Who writes a FMP?

The FMP is written by the fumigator in conjunction with the owner/operator of the site to be fumigated. In South Dakota this applies to commercial and private applicators.

What information should a FMP include?

Refer to FMP section of product labels for specific instructions on items required for the creation of the plan.

Does FMP have to be written?

Yes, the FMP is required to be kept for three years after the fumigation.

Is there a blank form that can be filled out?

No. Every fumigation job is different and will require details much to specific. You can keep one fumigation Management Plan on file for each type of fumigation done at your facility, for example spot fumigation of empty grain bins; fumigation of grain while loading; railcar fumigations, etc.

For one-time fumigations or those done only occasionally, you will need to create a separate FMP plan for each. A fumigation Management Plan template can be obtained at www.pestcon.com/techlibrary/index.htm.

I do not use Phostoxin, I use Fumitoxin. Does the FMP still apply to me?

Yes! All products will have essentially the same label. The FMP plan is a requirement for every fumigant. (continued on page 7-FMP)

(FMP-continued-

If I make applications to prairie dog burrows do I need a FMP plan?

Yes! you do any applications of the product regardless of situation, it requires an FMP before application.

What products qualify for an FMP plan?

Weevil-Cide Pellets/Tablets, United Phosphorous Inc Fumitoxin Pellet/Tablets, Pestcon Systems, Inc Profume, Dow AgroSciences, LLC PhosFume Pellets/Tablets, Douglas Products Degesch Phostoxin Pellets/Tablets, Degesch America Gastoxin Fumigation Pellets/Tablets, Bernardo Chem

If you have any questions regarding the compliance requirements, please contact the SDDA at 605-773-4432.

Regulation and the agricultural producer

There has been some confusion on the rules and regulations between commercial fertilizer and pesticide distribution dealers and on-farm storage of fertilizer and pesticides.

The following guidelines and plans are based upon “Best Management Practices” intended to reduce the potential for pollution from storing and handling of commercial fertilizer at on-farm facility locations.

Commercial fertilizer distribution dealers are required to comply with the procedures for storing, handling and distribution of commercial fertilizer. Presently in South Dakota, no fertilizer storage and handling requirements are directed toward agriculture producer operations other than reporting spills. A producer is not exempt from reporting requirements of a fertilizer spill. A spill is a release of 25 gallons of liquid and 500 pounds of dry. Producers must also report a spill if the release impacts or threatens to harm waters of the state or a release that threatens to harm human health. If the agricultural producer is distributing the fertilizer for resale then the producer must with the Bulk Commercial Fertilizer Laws and Bulk Commercial Fertilizer Storage Rules.

Occurrences of pollution however, may be a violation of state and federal acts such as the Clean Water Act.

Some things to consider when handling on farm fertilizer storage:

- Protecting surface and ground water
- Pesticide Applicator Newsletter

- Savings from the potentially costly clean-up of contaminated land and water
- Being liable for potential environment damage to others
- Loss of water use or land to contaminated areas.

Current requirements for pesticide storage at pesticide dealers and on farms are the same. The dealer and farmer must comply with South Dakota Codified Laws and Administrative Rules if they handle bulk pesticides for resale. SDCL 38-21-15 states that “No person shall transport, store dispose of any pesticide or pesticide container in such a manner as to cause injury to humans, vegetation, crops, livestock, wildlife or beneficial insects or to pollute any waterway in a way harmful to any wildlife therein.” The Secretary may promulgate rules and regulations governing the storing, transport and disposal of such pesticides and pesticide containers. Any person who violates this section is subject to a civil penalty not to exceed five thousand dollars per violation.

South Dakota Codified Law SDCL 38-21-16. The Secretary shall, by regulation, require the reporting of significant pesticide accidents or incidents. Dealers and producers must have bulk secondary containment is required if the storage container exceeds 300 gallons and meet the requirements of a Bulk Pesticide Storage Permit. They must notify the department of a pesticide spill in excess of 25 pounds active ingredient and properly dispose of the spill, must have an Operational Area Containment Registration if one requirement is met, must have a pesticide handling and response plan, pesticide dealers license and record keeping of Restricted Use Pesticides sales.

If you have any questions regarding the compliance requirements for handling of fertilizers and pesticides you may contact the South Dakota Department of Agriculture at 605-773-4432 or visit www.state.sd.us/doa/das.



DEPARTMENT OF AGRICULTURE
Division of Agriculture Services
Office of Agronomy Services
523 East Capitol-Foss Building
Pierre, SD 57501

Bulk Rate
U.S. Postage
PAID
Permit #1209
Sioux Falls, SD

ENFORCEMENT CASE UPDATE

CENTRAL – The department found that a firm had made an off label application of a pesticide that was called in as a non-performance complaint. The applicators for the application did not keep required applicator records. The firm settled with the department by payment of \$700 and the applicators were issued warnings for the records violation.

SOUTHEAST –The department found that an unlicensed applicator was advertising spraying services in a newspaper and further found that the applicator had made three applications without a license. The applicator settled with the department by payment of \$330.

WEST – In a drift complaint, the department found that damage to trees had occurred from two applications of 2,4-D, atrazine and Glyphosate made by an applicator that did not hold a SD applicators license. The applicator settled with the department by payment of \$990.

NORTHEAST –The department found that an aerial applicator had drifted onto a farm site from an application of Tordon and LV6. The applicator settled with the department by payment of \$385.

CENTRAL – The department found that an applicator made an application of Harmony Extra and LV6 2,4-D with wind 20 to 30 mph blowing toward neighboring trees. The applicator settled with the department by payment of \$385.

SOUTHEAST – The department found that an applicator made an application of Roundup Ultra Max with wind 16-26 mph blowing toward neighboring trees. The applicator settled with the department by payment of \$550.