

# South Dakota Department of Agriculture Pesticide Applicator Newsletter

Spring 2007 Issue 36



## 2007 Pesticide Container Collections

The South Dakota Department of Agriculture and the Cooperative Extension Service have set the following dates and locations for the 2007 pesticide container collections. Plastic containers which include drums, shuttles, and up to 55 gallon steel drums will all be accepted. **All containers must be triple rinsed or pressure rinsed.**

### 2007 PESTICIDE CONTAINER COLLECTION LOCATIONS

City	Date	Location	Time
Watertown	July 2	Codington Co. Extension	9:00-3:00
Clark	July 3	Clark Fire Hall	9:00-12:00
Redfield	July 3	Spink Co. Fairgrounds	1:00-4:00
Miller	July 5	Nelson's Seed Service	9:00-3:00
Huron	July 9	SD State Fairgrounds (FFA Bldg)	9:00-3:00
Rapid City	July 10	Central States Fairgrounds	9:00-2:00
Bison	July 11	Perkins Co. Fairgrounds	9:00-12:00
Lemmon	July 11	Midwest Coop	2:00-5:00
McLaughlin	July 12	SD Wheat Growers	9:00-11:00
Timber Lake	July 12	Airport	1:00-4:00
Chamberlain	July 16	SD Wheat Growers	9:00-3:00
Belle Fourche	July 17	Southwest Grain/D.M&G	9:00-2:00
Martin	July 18	Bennett Co. Fairgrounds	8:00-11:00
Philip	July 18	Midwest Cooperatives/Cenex	1:00-4:00
Murdo	July 19	SD DOT Yard	9:00-12:00
Sisseton	July 23	Country Partners	9:00-2:00
Aberdeen	July 24	Agriliance Warehouse	9:00-2:00
Herreid	July 25	North Central Farmers Elevator	9:00-12:00
Selby	July 25	Walworth Co. Hwy Dept	2:00-4:00
Mitchell	July 26	Davison Co. Extension	9:00-2:00
Pierre	July 30	Department of Ag bait station	9:00-2:00
Corsica	July 31	Farmers Alliance	9:00-12:00
Wagner	July 31	Valley Pump and Casino	1:00-4:00
Tyndall	Aug 1	Bon Homme Co. 4H Grounds	9:00-12:00
Olivet	Aug 1	Hutchinson Co. Courthouse	1:00-4:00
Winner	Aug 2	Tripp Co. Recycling Center	9:00-2:00
Howard	Aug 6	Cenex Agronomy Center	9:00-12:00
Madison	Aug 6	Lake Co. 4H Grounds	1:00-4:00
Brookings	Aug 7	Brookings Regional Landfill	9:00-2:00
Flandreau	Aug 8	Moody Co. Highway Dept	9:00-2:00
Renner	Aug 9	Renner Fire Hall	9:00-2:00
Salem	Aug 16	Central Farmers Coop	9:00-12:00

**All times are local.** For more information contact your county extension office or the South Dakota Department of Agriculture at 1-800-228-5254 or visit [www.state.sd.us/doa/das](http://www.state.sd.us/doa/das) for a map of specific locations. The following locations will accept containers during business hours. Contact Phyllis Packard, Missouri Valley Recycling, Vermillion, 605/677-7076, SDDA-Pierre, 605/773-4432 and Russ Layton, Bauman Agency, Huron 605/353-1112.

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## Worker Protection Standard (WPS) Focus on Eye Flush Requirements

This article will help you understand how to comply with WPS requirements for ensuring that your employees have access to water for eye flushing. The questions answered here were submitted to the EPA by people seeking clarification on this part of the regulation. The questions and answers were released by EPA's Office of Compliance on March 15, 1995.

The WPS requires the agricultural employer to assure that at least one pint of water is immediately available to each worker performing early-entry activities for which the pesticide labeling requires protective eyewear. Similarly, the WPS requires the employer of the pesticide handler to assure that at least one pint of water is immediately available to each handler who is performing tasks for which the pesticide labeling requires protective eyewear. What is meant by "immediately available"?

In both sections of the WPS addressing availability of eye flush water, the EPA requires that emergency eye flush water be carried by the handler or early-entry worker, or be on the vehicle (or aircraft) which the handler or early-entry worker is using, or be otherwise immediately accessible [40 CFR §§ 170.150(b)(4) and 170.250(d)]. When is eye flush water "immediately accessible"?

The WPS *How to Comply* manual states that emergency eye flush water may be at the decontamination site if the decontamination site is immediately accessible. Because the WPS specifies that eyewash water must be carried by the handler or early-entry worker, or must be on the vehicle or aircraft that the handler or early-entry worker is using, the eyewash water must be close and accessible to the worker or handler at all times. In addition, because concentrations and causticity of agricultural chemicals vary so greatly (and therefore the duration of exposure necessary for ocular damage to occur is difficult to uniformly determine), emergency eyewash water must be available immediately.

If the emergency eyewash water is not being carried by the handler, it must be situated at such a distance that it can be accessed within very few seconds. If emergency eye flush water must be close, accessible, and situated so that one could get to it within very few seconds, what are some examples of places that it may be located/stored so that the above criteria are met? In addition to the examples listed above, the following might be additional examples of "immediately available":

1. Running water, a commercial eye flush dispenser, or decontamination water in a container at a mix/load, storage, equipment cleaning or repairing, or other stationary handling (or early-entry) site for handlers or early entry workers engaged in such activities at the site.
2. Running water or commercial eye flush dispensers that are located at frequent intervals and are easily accessed by the handlers/early-entry workers in a bench-type nursery or greenhouse site.
3. Water that meets the WPS standard for decontamination water that is in a nurse tank or other supply tank that is on (or being pulled by) the vehicle a handler or early-entry worker is operating.

What are some examples of unacceptable locations in which to store emergency eye flush water (i.e., water would NOT be immediately available)?

Examples of situations where emergency eye flush water would *NOT* be immediately accessible are:

1. Water on a vehicle but in a locked compartment.
2. Water for which difficult or time-consuming steps must be taken to access, such as having to uncouple or connect a nurse tank hose, or having to unlock a restroom.
3. Water located across a stream or commercial road.

Does the eye flush water requirement in the WPS need to be in one pint containers only? (Continued on page 4-WPS)

### Special Label Requested for Alternative Prairie Dog Bait Rejected

The South Dakota Department of Agriculture (SDDA) recently received requests to issue a special label authorizing the use of Rozol Pocket Gopher Bait to control prairie dogs. SDDA initially reviewed the Rozol product after a request was received two years ago, and denied the special label request (which was affirmed again this year) for the following reasons.

The request did not meet the conditions specified in the federal regulations. The state does not have the authority to issue a special label in this case, because other registered products are available.

From information provided, SDDA determined that Rozol bait provided less than acceptable control in baiting studies (Lee, 2002). Other registered prairie dog baits, when used as directed, have shown 90% or better control.

While all poison baits present hazards, SDDA determined that Rozol bait presented a significant secondary poisoning hazard to non-target animals that other registered products did not. Rozol bait is an anti-coagulant, which means it is dispersed through the blood stream and causes internal or external hemorrhaging. This fact poses a significant threat to any animal that may eat the poisoned carcass of a Rozol baited prairie dog, such as eagles, hawks, coyotes, swift fox, pets (dogs) and even the endangered black-footed ferret.

It has been presented that Rozol treatments are a one-step baiting procedure, which is not the case. The Rozol label states that a constant supply of bait must be maintained as long as there is activity at the site. A Rozol treatment site, according to the label, must be monitored and prairie dogs that have died above ground must be collected and buried immediately at least 18 inches below ground.

Additionally, Special Local Need registrations are not valid in Indian Country, where many of the prairie dogs are located.

SDDA also reviewed the cost and use rate of Rozol baiting versus zinc phosphide baits. SDDA determined that the Rozol treatments are at least 50% higher in cost, primarily because it requires a much larger amount of bait than the zinc phosphide applications. SDDA has suggested that those requesting the special label and the manufacturer of Rozol bait pursue federal registration through EPA to get the bait labeled for use on prairie dogs. There are currently 5 baits and 12 fumigants registered in S.D. to control prairie dogs.

Questions regarding Special Local Needs labeling and registered prairie dog baits may be answered by calling the South Dakota Department of Agriculture at 1-800-228-5254.

Heavy metals like arsenic and lead in fertilizers are a growing concern amongst states. According to a recent nationwide survey of state officials by the Oregon Department of Agriculture, almost 20 states have adopted limits for heavy metals in fertilizers or are in the process of doing so. In South Dakota, we sample fertilizers to test for them but have not yet adopted any regulations establishing specific limits on heavy metals. This may change in coming years.

#### ***Why are heavy metals an issue in fertilizers?***

Micronutrients like iron and zinc are derived from a variety of sources, such as municipal wastes and mining by-products. In the process of collecting such micronutrients, heavy metals that were present in the source material may also end up in the fertilizer product. Officials are concerned that high levels of heavy metals in fertilizers may lead to high levels in the soil and in the crops growing there. This may result in injury to crops, livestock, and/or the people who consume them.

#### ***Should I be worried about heavy metals in my fertilizers?***

Most fertilizers do not contain excessive amounts of heavy metals. Over the last 3 years, an average of 5.6% of the products sampled for heavy metals in South Dakota have been found to have uncommonly high levels of such metals. Concerned consumers can go to the following website to check the heavy metal levels in many common fertilizer products; as determined by the Washington Department of Agriculture.

[www.agr.wa.gov/PestFert/Fertilizers/ProductDatabase.htm](http://www.agr.wa.gov/PestFert/Fertilizers/ProductDatabase.htm)

#### ***Non-Conventional Fertilizers and Soil Amendments***

Due to rising energy and fertilizer costs, many farmers are looking for ways to cut production costs to maintain profitability. As a result, non-conventional fertilizers and soil amendments are becoming more common. These products may include ingredients that are common to crop production but are derived or utilized in unique ways, or they may include less-common ingredients that were previously undiscovered or unutilized. Regardless of what makes the product non-conventional, it is important to consider the legitimacy of the product in question.

#### ***How do I know if a product is legitimate?***

A general rule of thumb is, "If it sounds too good to be true... it probably is." Study the label and pay particular attention to the recommended application rate, the reasoning behind how the product is supposed to work, and the level of crop response being promised. If any of these run counter to common sense, beware!

(Continued on page 4)

(Continued from page 3).

Also, beware of testimonials and unsubstantiated verbal claims. If it is not in writing, there may be a reason. In addition, you can contact the Department or check our website to see if the company has a valid fertilizer license or has registered the product with us.

#### **What about OMRI approved products?**

In order to maintain National Organic Program (NOP) certification, organic growers must use fertilizer and soil amendment products that are natural rather than synthetic. The Organic Materials Review Institute (OMRI) independently reviews products, adding to their list of approved "OMRI Products" those that meet NOP requirements for natural content. However, OMRI does not evaluate the effectiveness of products or ask the companies to provide proof of product claims. Thus, OMRI certification alone does not meet South Dakota's requirements. Like all other products, we require OMRI approved products to be proven to actually work. Some OMRI approved products do have proven value, and are registered for use in South Dakota. In contrast, some applicants are unwilling or unable to provide acceptable proof that their product works, and so their registration is denied.

#### **Product Availability: Quality v. Quantity**

The South Dakota Department of Agriculture is proud to serve our state's growers by registering proven products, thereby assuring that our farmers have a selection of high-quality products for their use rather than a multitude of ineffective ones. For more information, or to see if a company has a fertilizer license or has registered soil amendments with the state, please visit [www.state.sd.us/doa/das/hp-fert.htm](http://www.state.sd.us/doa/das/hp-fert.htm).



#### **WPS-**(Continued from Page 2)

Can a single, large container suffice if the contents equal or exceed one pint per person?

A single large container would suffice if it were immediately accessible to each worker or handler who requires it [40 CFR § 170.150]. The South Dakota Department of Agriculture has available WPS manuals available or a CD ROM version of the manual.

To get more facts about compliance, contact the South Dakota Department of Agriculture at 605-773-4432 or <http://www.state.sd.us/doa/das/>.

## Expect High Soybean Aphid Populations this Year.

Sap-sucking soybean aphids may be back in full force in some soybean fields in 2007. "The soybean aphid is still following the sequence that will in all likelihood lead to larger densities and economic problems next year," says Ron Hammond, an Ohio State University entomologist. "Our colleagues from northern states are seeing the same thing, and it seems we're right on schedule with our population cycle predictions."

Researchers are basing this on recent observations of high adult numbers and increased egg laying on buckthorn-the over wintering host.

#### **Pest populations may increase during odd years**

Soybean aphids can devastate soybean fields if they are present in high enough numbers. Since the discovery of this yield robber in 2001, researchers have annually tracked and accurately predicted its population pattern: high in odd-numbered years, low in even numbered years.

Researchers speculate the level of soybean aphid populations may be tied to the population of the multicolored Asian ladybeetle, a known predator. When soybean aphid numbers are low, as they were in 2006 growing season-lady beetle numbers are also low. When soybean aphid numbers are high, the ladybeetle makes its appearance.

Hammond encourages you to remember these best management practices to fight back against soybean aphids:

- Plant early, and then scout fields on a regular basis
- Treat with foliar insecticides when aphid thresholds reach 250 aphids per plant
- Avoid seed treatments. Although they are effective on early populations, they do not maintain their efficacy later in the season when aphids reach higher populations and begin their heavy feeding. (Source: PLS WEB Newsroom, 11/27/06)

## SPRAYER CALIBRATION AND TUNE UP

Now is a good time to inspect and calibrate your sprayer for the upcoming season. By making preparations now, you will be ready to go when things get busy later in the season. Start by visually inspecting the sprayer. Look for worn hoses, check screens and strainers that may restrict flow, and replace any parts that show signs of wear.

Next, flush the system with water. Take the unit out of the farmyard to flush it, by spraying the flush on a labeled field. After flushing thoroughly, put clean water in the unit once more to inspect and calibrate the unit while it is in operation.

Start the sprayer and check the nozzle output and pattern to be sure you don't have plugged or worn nozzles. A simple technique to evaluate output is to hold a cup under each spray nozzle for the same length of time, anywhere from 30 seconds to one minute. The level in the cup will allow you to see whether each nozzle is releasing spray at the same rate.

To evaluate spray pattern, it's sometimes helpful to drive forward with the sprayer in operation spraying clean water onto a surface such as gravel. By watching to see whether the surface dries uniformly, the operator can evaluate whether the unit is applying spray evenly. During the season, recalibrate your sprayer every time you make major rate changes or replace any parts.

## Pesticide Exposure Cases for South Dakota

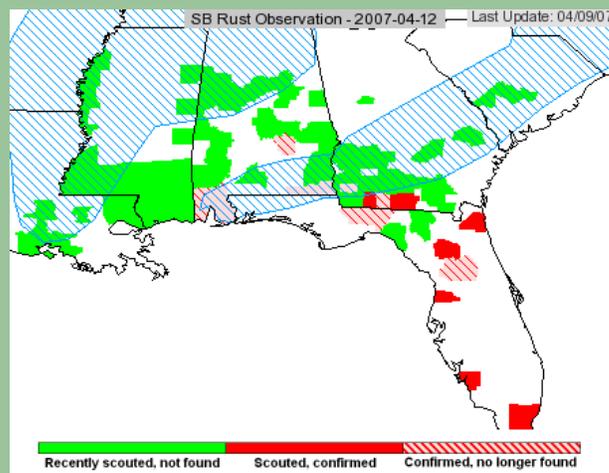
The Department of Agriculture receives quarterly reports from the Hennepin County Regional Poison Center in regards to all South Dakota pesticide exposures. Exposures are defined as symptomatic cases involving various categories of pesticides which include fungicides, fumigants, herbicides, insecticides, repellents and rodenticides. In 2006, there were no deaths reported due to pesticide exposure. There were exposures reported for fungicides (6), fumigants (3), herbicides (42), insecticides (132), repellents (26), and rodenticides (32). For more info visit [www.state.sd.us/doa/das/hp-pest.htm](http://www.state.sd.us/doa/das/hp-pest.htm)

## SOYBEAN RUST UPDATE

Rust was found infecting the 2006 soybean crop in 231 different counties and 15 states: AL, AR, FL, GA, IL, IN, KY, LA, MO, MS, NC, SC, TN, TX, and VA. Including reports on kudzu, there was a total of 274 counties in 15 states with rust in 2006.

South Dakota State University Sentinel plots indicated that there was a strong possibility that the August 28 collection of spores from a spore trap located at Brookings, SD were that of soybean rust spores. University of Arkansas plant pathologist John Rupe, one of the nation's experts in identifying soybean rust spores, found that size, shape, and hyaline color fit the description. The spores could not be proven genetically because there were not enough spores on the slide to analyze the DNA of the organism. The visual inspection of the organisms, however appeared to be soybean rust spores.

The S.D. Department of Agriculture applied for and was granted several Section 18 emergency exemptions from the EPA for the 2007 growing season. The approved fungicides are: **Headline SBR, Headline-Caramba Co-Pak, Caramba, Alto 100SL, Propimax, Tilt, Bumper, Folicur 3.6F, Laredo EC, Loreda EW, Stratego, Quadris Xtra, Quilt, Punch, Topguard, Folicur, and Orius.** Check the label for application instructions and restrictions. For more info visit [www.state.sd.us/doa/das/sec\\_18.htm](http://www.state.sd.us/doa/das/sec_18.htm).



The **green** areas are scouted, **red** areas are scouted and confirmed soybean rust spores found on plants as of April 9, 2007. The **blue** area is soybean areas.

## 2006 Summary of Fertilizer Samples

In 2006, over 1.44 million tons of fertilizers were distributed in South Dakota. While this is slightly less than what was distributed in each of the previous two years, it is on par with the average for the last five years. The following table lists the top five fertilizers distributed in 2006 by weight:

<i>Fertilizer (Top 5)</i>	<i>Grade</i>	<i>Tons in '06</i>
1. Urea	46-0-0	620,340
2. MAP	11-52-0	203,781
3. Nitrogen 28%	28-0-0	134,589
4. DAP	18-46-0	122,536
5. Nitrogen 32%	32-0-0	77,432
	<i>Total</i>	1,158,678

Fertilizers are routinely sampled to determine if they are in compliance with state law, particularly to determine if they are “misbranded” or “adulterated”. To put it simply, we take samples to verify that fertilizers contain the amount of nutrients they are supposed to, and that they don’t contain any additional materials that may be harmful to crops. Last year, 387 fertilizer samples were taken. About 89% passed inspection, while the remaining 11% failed for being deficient in one or more guaranteed nutrients. The samples that failed were 48% custom mixes, 19% straight dry bulk, 12% straight liquid bulk, 12% lawn and garden and 9% small package. There are many reasons that a sample may fail. Some of the reasons are the custom mix did not blend long enough, poor grade of product from the manufacturer/supplier, poor separation of product in the storage building or cross contamination in the pump or storage of the liquid fertilizer.

We sample both farm and non-farm fertilizers. Because the majority of fertilizer distributed is for farming (99% by weight), much of our sampling focuses on bulk dry, bulk liquid, and custom mix fertilizers. Approximately 40% of our samples are taken on dry bulk fertilizers, 20% on liquid bulk, 20% on custom mixes, 15% on lawn and garden products, and 5% on small packages of 10 pounds or less.

For more information or to view fertilizer tonnage reports from previous years, please visit [www.state.sd.us/doa/das/hp-fert.htm](http://www.state.sd.us/doa/das/hp-fert.htm). The Annual Fertilizer Report for 2006 will be posted there soon, too.

## Lindane Uses Cancelled

In the August 23, 2006 Federal Register, EPA announced that it had received requests from registrants to cancel lindane registrations and that this action would result in the termination of all lindane product registrations in the United States. South Dakota currently registers eight lindane products. Although not all of these products were listed in the notice, EPA intends to cancel all lindane registrations. Lindane is labeled for seed treatment use on the crops: barley, corn (field), corn (sweet), corn seed crop, oat, popcorn, rye, sorghum and wheat.

## 2006 Summary of Feed Samples

In 2006, over 2.3 million tons of feed were sold in South Dakota. The tons of reported feed in the state have grown over the past 5 years. In 2002, there were 1.3 million tons of feed reported and of that portion 357,000 tons were distillers’ products. In 2006, there were just over a million tons of distiller’s products.

Feed is routinely sampled to determine if they are in compliance with state law, particularly to determine if they are “misbranded” or “adulterated”. We take samples to make sure that the label claims are correct and that it does not contain any foreign substance that may harm the animal. Last year there were a total of 694 samples taken. About 78.2% of the samples passed and 21.8% did not pass. The top reasons that samples fail is due to insufficient protein level, medications and Vitiman A due to a short shelf life. The distillers’ grain is tested for levels of sulfur.

For more information or to view feed tonnage reports from previous years, please visit [www.state.sd.us/doa/das/hp-fert.htm](http://www.state.sd.us/doa/das/hp-fert.htm). The Annual Feed Report for 2006 will be posted there soon, too.



## FDA Update and Synopsis on the Pet Food Outbreak

On March 16, Menu Foods, Inc., recalled dog and cat foods produced at two of its facilities between Dec. 3, 2006, and March 6, 2007, and sold under a number of different brand names. Several other companies also have voluntarily withdrawn products from the market. On April 5, 2007, the Food and Drug Administration (FDA) provided an update on the recall on pet foods from Menu Foods.

The South Dakota Department of Agriculture regulates pet food by licensing of all labelers. The company must submit product labels for review and approval granted before the products can be distributed in South Dakota. Products are also subject to routine sampling to ensure that they meet label guarantees.

### HIGHLIGHTS

FDA launched an investigation within 24 hours after being notified by Menu Foods of a recall and investigators arrived at the company's plant and searched for possible sources of contamination.

The same day, FDA consumer complaint coordinators nationwide began taking calls from consumers and veterinarians who reported illnesses potentially associated with the contaminated pet food. FDA has received over 12,000 reports in the last three weeks—more than twice the number of complaints typically received in a year by the consumer complaint coordinators.

In an effort to trace all of the contaminated product, the FDA conducted numerous inspections of manufacturers and warehouses identified as recipients of the suspect product. FDA has also been working with the affected firms to assist them with their product recall efforts.

FDA's investigation identified the distributor of the contaminated wheat gluten as ChemNutra, of Las Vegas, Nevada. FDA worked with the firm to trace the suspect product, and identified its Chinese source.

FDA has asked the Chinese government to help us with the investigation which continues to determine how the melamine may have gotten into the wheat gluten.

FDA is currently sampling 100 percent of all

Chinese wheat gluten being offered for import; FDA Field laboratories confirmed the presence of melamine in shipments of wheat gluten received from a source from China. This was done through testing of samples of finished product and raw materials. Melamine is a product used as a fertilizer with other industrial and commercial uses. FDA laboratories have conducted over 400 sample analyses, and to date have found 21 samples that were positive for melamine.

To date, voluntary recalls of pet food products have been conducted by Del Monte Pet Products, Hill's Pet Nutrition, Menu Foods, Nestle Purina PetCare Company, P&G Pet Care, and Sunshine Mills. On April 5, Sunshine Mills, Inc., of Red Bay, Alabama, voluntarily recalled a portion of its branded dog biscuits made at its Red Bay, Alabama biscuit plant during part of March 2007. In addition, Menu Foods, Inc., voluntarily expanded its pet food recall for selected "cuts and gravy" pet food products, manufactured back to November 8, 2006. Both firms issued press releases which are accessible on the FDA website.

### OTHER FACTS

This is an ongoing investigation and FDA is conducting recall audit follow-ups to ensure an effective recall.

FDA continues to work with federal, state, and local partners, veterinarians, and members of the public as part of this investigation.

At this time there is no evidence that any wheat gluten contaminated with melamine has entered the human food supply.

Understanding the role of melamine in each of the dog and cat illnesses will require an extensive analysis of the information, assistance from outside sources, and perhaps further research.

FDA's priority now is to assure that all contaminated product is identified and removed from store shelves. All the contaminated wheat gluten has been traced, and all the pet food manufacturers who have received contaminated ingredients have been identified and have initiated recalls. Following the removal of all suspect products from retailers, there remains an ample supply of safe cat and dog food available at stores throughout the U.S. The FDA has a dedicated pet food recall page on its website which has all of the current information including all press releases issued, frequently asked questions, as well as contact information for FDA. FDA urges members of the media and public to visit this page at:

<http://www.fda.gov/oc/opacom/hottopics/petfood.html>.

**DEPARTMENT OF AGRICULTURE**  
**Division of Agricultural Services**  
**Office of Agronomy Services**  
**523 East Capitol – Foss Building**  
**Pierre, South Dakota 57501-3182**

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

## ENFORCEMENT CASE UPDATE

**Central** – The Department conducted a follow up inspection on a newspaper advertisement. Upon investigation, the department found that a facility had made several sales of restricted use pesticides without a dealer license. The company entered into a settlement agreement and paid \$2,700.

**Northeast** – The Department received a complaint regarding a lawn care applicator spraying in high winds and drifting onto adjacent property. Wind was conducive for drift and samples indicated the presence of the pesticides used by the applicator. Weather data for the area indicated winds from 20 to 33 mph. The applicator entered into a settlement agreement and paid \$550.

**Southeast** – The Department received a complaint alleging pesticide drift to pasture, alfalfa and lawn areas. The Department determined the aerial application was conducive for drift and samples indicated the presence of pesticides used by the applicator. The applicators entered into a settlement agreement and paid \$720.

**West** – The Department received a complaint alleging pesticide runoff into a small pond. Samples indicated very small amounts of the pesticides in the water. The department determined that the pesticide application was made off label by spraying in water runoff areas and endangering surface waters. The applicator settled with the department for \$440.