



# Pesticide Report for 2010

North Carolina Department of Agriculture and Consumer Services  
Steve Troxler, Commissioner



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## FOREWORD

This will acknowledge and express our appreciation to the following people who made significant contributions to the contents and preparation of this Pesticide Report: Structural Pest Control & Pesticides Division / Pesticide Section – James W. Burnette, Jr., Director; Betty H. Griffin, Effie Carroll, Felicia Pate, and Faith Lane, Processing Assistant III's; Margaret D. Broome, and Kitea Lewis, Office Assistant IV's; Jackie Robertson and Laura L. Stover, Processing Assistant IV's; Jamie Frye, Administrative Secretary II; Jan L. Culbreth, Information Processing Technician; Rebecca Williams and Tamora Hester, Information Processing Manager; Shannon Joyner, Administrative Officer I; J. Patrick Jones, Deputy Pesticide Administrator; L. Lee Davis, Registration Manager; Kay G. Harris, Certification, Licensing & Outreach Manager; Dr. Robert R. Bruss, Risk Assessment and Environmental Fate Team Manager; Dr. Henry F. Wade, Environmental Programs Manager; Derrick Bell, Pesticide Disposal Assistance Program Manager; Sergio Morales-Monroy, Bilingual Pesticide Specialist; Michael A. Mitchell and Gwen T. Minton, Pesticide Environmental Investigative Specialists; Jennifer Almond, Pesticide Operations Specialists; Jagathi Kamalakanthan, and Guido Hommelsheim, Pesticide Specialists; Renee Woody, and J. Cam McDonald, Jr. Certification Specialists; John B. Dalley and Dwight E. Seal, District Managers; James C. Bristow, Jr., Charles L. Clark, Steven F. Gatton, N. Patrick Farquahar, Thomas C. Bowman, Jr., Forrest Sue Egelston, and Paul H. Ward, III, Pesticide Inspector II's; Douglas Bullard, Brandon Cawthorn, W. Barry Dunn, Robert S. Hamilton, Jimmy S. Merritt, Eddie Nunn, Randy Oliver, Drew Long, Travis Snodgrass, Phillip Sykes, R. Steve Taylor, and Gwen Van Duyn, Pesticide Inspector I's; Food and Drug Protection Division – Daniel L. Ragan, Director; Dr. Roger L. McDaniel, State Chemist; Dr. W. Mark Cosby, Chief Microbiologist; Dawn Davis and Vaishali M. Hingoo, Microbiologists; Ronald R. Willett, Pesticide Laboratory Supervisor, Ray Valenzuela, Chemist II; R. Vern Park, and Ronnie E. Rollins, Chemist I's; David Mitchell, LAN Administrator.

# How to Use This Report

The N.C. Pesticide Board is mandated by the General Statutes of North Carolina (§ 143-437) to make annual reports to the Governor on matters involving pesticides. The North Carolina Pesticide Report for 2010 fulfills this mandate. Considerable time and effort have gone into editing and organizing this 2009 edition which summarizes regulatory activities performed under the N.C. Pesticide Law of 1971. In this document you will find the following:

## **Introduction**

The Introduction describes the development of laws and regulations governing the sale and use of pesticides in North Carolina. It also refers to certain divisions in the North Carolina Department of Agriculture & Consumer Services that perform key roles in regulating and controlling the sale and use of pesticides in this State.

## **North Carolina Pesticide Law of 1971 and Adopted Regulations**

This section presents a brief abstract of the North Carolina Pesticide Law of 1971. It also indicates where to obtain a complete copy of the Law and the pursuant Regulations adopted by the North Carolina Pesticide Board.

## **Pesticide Board and Pesticide Advisory Committee**

This section presents a brief description of the duties and composition of the North Carolina Pesticide Board and the North Carolina Pesticide Advisory Committee. In addition, a brief summary of each North Carolina Pesticide Board meeting and Pesticide Advisory Committee meeting held during 2010 is given.

## **Pesticide Environmental Trust Fund**

In this section, a summary of the Pesticide Environmental Trust Fund's financial transactions for 2010 is presented. Balances, receipts, expenditures, refunds, cumulative (1993-2010) figures and project summaries are given.

## **Pesticide Container Recycling and Disposal Assistance Programs**

This section summarizes the amount of plastic pesticide containers recycled during 2010 and the amount of pesticides waste collected at both the designated disposal collection sites and permanent household hazardous waste collection sites across North Carolina during the same year.

## **Definitions Adopted**

This section explains definitions that were adopted for reporting the analytical results of pesticides sampled by pesticide inspectors and analyzed by the Department's laboratories.

## **Table I**

Table I gives the analytical results of pesticides sampled and analyzed for their formulations. Company name and address are those listed on the product label when it was purchased in the marketplace.

## **Table II**

Table II presents the results of disinfectants tested for their label guarantee to kill various microorganisms. Here again, company name and address are those listed on the product label when it was purchased in the marketplace.

## **Table III**

Table III is an alphabetical listing of the names and addresses of manufacturers and/or distributors that were found to have unregistered or misbranded products in the marketplace during 2010.

## **Summary of Regulatory Activities Performed**

This section presents a summary of the various regulatory activities performed by the Department under the North Carolina Pesticide Law of 1971. The following information is included: number of manufacturers who registered pesticides for sale; number of pesticide products registered; number of physical samples collected and examined; number of stop-sale, stop-use, or removal orders issued; the number of licenses and private applicator certificates issued; and the number of compliance inspections conducted.

## Introduction

The term "Pesticide" covers a large number of materials and mixtures intended for destroying, controlling, or repelling pests such as insects, weeds, and other noxious plants, predatory animals and birds, soil-infesting pests such as nematodes, algae, snails, and bacteria. Other examples are disinfectants, antiseptics, and fungicides for use other than on living man or other animals, defoliants, various repellents, fly paper, and other adhesive products whose action goes beyond simple mechanics, moth proofers, wood preservatives other than common paints, mildew controls, and seed fumigants.

An adequate and readily available supply of many of these products is essential in the economical production of feed and fiber crops. The preservation of many products in storage and the control of domestic and industrial pests which affect both the health and welfare of human beings and animals are like-wise dependent on such materials.

While the development and distribution of various pesticides to serve the needs are important, provisions must be present to protect the public. During the years 1947 through 1971, it was the purpose of the economic poisons law (North Carolina Insecticide, Fungicide, and Rodenticide Act of 1947, G.S. 4A, Chapter 106) to protect the public from adulterated, misbranded, worthless, and dangerous products, and legitimate manufacturers from unscrupulous competition.

During the years 1953 through 1971, the aerial application of pesticides was regulated by the North Carolina Aerial Crop Dusting Law, G.S. 4B, Chapter 106. The Law and the regulations promulgated thereunder, in summary, required the registration and licensing of contractors and aviators who engaged in the custom application of pesticides by aircraft in North Carolina. The validity of a license was further restricted to the period of time that coverage by liability bond or insurance for damage by aircraft was in force.

During 1969, the North Carolina General Assembly through House Resolution 1392 directed the Legislative Research Commission to study the laws regulating pesticides in N.C. and report its findings and recommendations to the 1971 General Assembly. As a result of the findings and recommendations of the Commission, the North Carolina Pesticide Law of 1971 was adopted. The N.C. Pesticide Law of 1971 established the North Carolina Pesticide Board as the governing body for the programs of pesticide management and control set forth in the Law. Provisions for regulating the use, application (aerial and ground), sale, storage, disposal and registration of pesticides are set forth in the Law.

The Law provides for the adoption of a list of restricted use pesticides and requires the licensing of all pesticide dealers who sell restricted use pesticides directly to users. Pesticide applicators and consultants are also subject to licensing requirements. Private pesticide applicators may be required to be certified or recertified in order to purchase, use, and supervise use of restricted use pesticides in agricultural commodity production.

The Commissioner of Agriculture is responsible for administering and enforcing the Law and all rules and regulations adopted by the Board.

Each brand or grade of pesticide must be registered with the North Carolina Department of Agriculture & Consumer Services before it can be legally offered for sale in the State. A \$50.00 registration fee for each brand or grade must accompany each application for registration. In addition to the registration fee, an annual environmental assessment must be paid for each brand or grade to be registered in North Carolina. The assessment shall be \$50.00 if the applicant's gross sales of the pesticide in this state for the preceding 12 months for the period ending September 30th were more than \$5,000.00 and \$25.00 if gross sales were less than \$5,000.00. This assessment must accompany the \$50.00 registration fee in order for the registration to be complete.

A statewide inspection service will be maintained to investigate incidents involving pesticide misuse and to implement programs to enhance compliance to the Law and regulations. In addition to product registration and applicator licensing programs, the Pesticide Section of the Structural Pest Control and Pesticides Division will implement programs as authorized by regulation pertaining to the quality of formulated pesticides, the storage, disposal, and use of pesticides. The Department will maintain analytical laboratories to conduct analysis of official samples obtained for regulatory purposes.

# Brief of the North Carolina Pesticide Law of 1971

North Carolina Pesticide Board

Governing Body

Commissioner of Agriculture

Administrative and Enforcement

North Carolina Pesticide Advisory Committee

Assists the Board and Commissioner in an advisory capacity

Any pesticide may be designated as a “Restricted Use Pesticide” upon the grounds that in the judgment of the Board it is so hazardous or injurious to persons, pollinating insects, animals, crops, wildlife, lands, or the environment that additional restrictions on its sale, purpose, use, or possession are required. Restricted Use Pesticides also include any pesticide required by the Environmental Protection Agency to bear the designation on its labeling “Restricted Use Pesticide.” (Restricted Use Pesticides have been established by regulation.)

Restricted Use Pesticides

The Board may require certification and recertification of private pesticide applicators and charge a fee of up to \$10.00. The current fee is established by regulation at \$10 for a three-year certification.

Private Applicator Certification Requirement

All pesticide dealers who sell restricted use pesticides must be licensed. Application for a pesticide dealer’s license must be accompanied by a nonrefundable fee of \$50. All licenses shall expire on December 31 of the year for which they are issued. The license may be renewed annually upon application to the Department of Agriculture and Consumer Services, accompanied by a non-refundable fee of \$75 for each license. Each applicant must demonstrate upon written, or written and oral, examination his knowledge of pesticides, their usefulness and their hazards; his competence as a pesticide dealer; and his knowledge of the laws and regulations governing the use and sale of pesticides.

Pesticide Dealer Licensing Requirement

No person shall engage in the business of pesticide applicator within North Carolina unless he is licensed annually by the Board. Each license application shall be accompanied by a nonrefundable fee of \$75 for each applicator’s license and an additional \$25 for each aircraft to be licensed. A pesticide applicator is defined as any person who owns or operates a pesticide application business or who provides, for compensation, a service that includes the application of pesticides upon the lands or properties of another; any public operator; any golf course operator; any seed treater; any person engaged in demonstration or research pest control; and any other person who applies pesticides for compensation and is not exempt from this definition. It does not include:

Pesticide Applicator Licensing Requirement

a. Any person who uses or supervises the use of a pesticide (i) only for the purpose of producing an agricultural commodity on property owned or rented by him or his employer, or (ii) only (if applied without compensation other than trading of personal services between producers of agricultural commodities) on the property of another person, or (iii) only for the purposes set forth in (i) and (ii) above.

b. Any person who applies pesticides for structural pest control, as defined in the North Carolina Structural Pest Control Law (G.S. Chapter 106, Article 4C.)

Each applicant must demonstrate upon written, or written and oral, examination his competence as a pesticide applicator or public operator. In addition, to be licensed as a pilot, a person must have 125 hours and one year’s flying experience as a pilot in the field of aerial pesticide application.

No person shall perform services as a pest control consultant without first procuring from the Board a license. The application for a license shall be accompanied by an annual nonrefundable fee of \$75. A pest control consultant is defined as any person who, for a fee, offers or supplies technical advice, supervision, or aid, or recommends the use of specific pesticides for the purpose of controlling insects, plant diseases, weeds, and other pests, but does not include any person regulated by the North Carolina Structural Pest Control Act. Each applicant must demonstrate upon written, or written and oral, examination his competence as a pesticide consultant. An applicant for a pest control consultant license must possess a Ph.D., master’s, or bachelor’s degree in an agricultural or biological science from an accredited college or university with a minimum of 30 semester hours or 45 quarter hours of credit in subject areas pertinent to the category in which the applicant seeks to obtain a license. Emphasis of study must include insect, plant, bacterial, and fungal pests, as applicable to the category, and integrated pest management.

Pest Control Consultant Licensing Requirement

No person shall handle, transport, store, display, or distribute pesticides in such a

manner as to endanger man or his environment.

Every pesticide prior to being distributed, sold, or offered for sale within this State or delivered for transportation or transported in intrastate commerce or between points within this State through any point outside this State, shall be registered and such registration shall be renewed annually. Each manufacturer, distributor, or registrant of a pesticide shall supervise the activities of any employee or agent to prevent the making of deceptive or misleading statements about a pesticide. It shall be unlawful for any person to distribute, sell, or offer for sale any restricted use pesticide to any dealer who does not hold a valid N.C. Pesticide Dealer License.

A registration fee of \$150 for each brand or grade of pesticide is required. An additional \$200 delinquent registration penalty shall be assessed against the registrant for each brand or grade of pesticide marketed in North Carolina prior to registration.

An annual Pesticide Environmental Trust Fund assessment fee is required for each brand or grade of pesticide registered. This fee is either \$25.00 or \$50.00, based on gross sales of the pesticide within the State for the previous year. The assessments provide funding for agromedicine efforts at East Carolina University, North Carolina State University, and North Carolina A&T University and for pesticide environmental programs administered by the N.C. Department of Agriculture & Consumer Services.

Registration is subject to refusal or cancellation for cause and upon hearing.

Any brand or grade found to be deficient or excessive in active ingredients, misbranded, adulterated, or not registered is subject to "Stop Sale, Stop Use or Removal Orders."

The Pesticide Board may assess a civil penalty of not more than \$2,000 against any person who violates or directly causes a violation of any provision of this Article or any rule adopted pursuant to this Article. In determining the amount of any penalty, the Board may consider the degree and extent of harm caused by the violation and the cost of rectifying the damage caused by the violation.

Notwithstanding any other provision of this Law, the maximum penalty which may be assessed under this section against a "private pesticide applicator" is \$500 and such penalties may be assessed only for willful violations.

Any person who shall be adjudged to have violated any provision of the Law, or any regulation of the Board adopted pursuant to this Law, shall be guilty of a Class 2 misdemeanor and for each violation shall be liable for a penalty of not less than \$100 or more than \$1,000 or shall be imprisoned for not more than 60 days, or both. In addition, if any person continues to violate or further violates any provision of this Article after written notice from the Board, the court may determine that each day during which the violation continued or is repeated constitutes a separate violation subject to the foregoing penalties.

Handling, Storage,  
and Disposal of  
Pesticides

Registration

Registration Fee  
and Delinquent  
Penalty

Pesticide  
Environmental  
Trust Fund  
Assessment

Refusal or Cancellation of  
Registration

"Stop Sale, Stop Use  
or Removal Orders"

Civil  
Penalties

Other  
Penalties

**NOTE: Copies of the North Carolina Pesticide Law of 1971, as amended through 2009, may be obtained upon request to the Pesticide Section, North Carolina Department of Agriculture & Consumer Services, 1090 Mail Service Center, Raleigh, NC 27699-1090. Copies of the Regulations adopted by the North Carolina Pesticide Board may be requested from the same source. Both documents are also available on the Internet at**

**[www.ncagr.com/str-pest/pesticides](http://www.ncagr.com/str-pest/pesticides)**

# North Carolina Pesticide Regulations

## North Carolina Administrative Code Title 2 Department of Agriculture & Consumer Services Chapter 9 Food & Drug Protection Division SubChapter 9L Pesticide Section

The governor appointed North Carolina Pesticide Board adopts regulations that govern the manner in which pesticides are sold, stored, transported, applied and disposed within the state. While the N.C. Pesticide Law of 1971 provides the broader framework for pesticide regulation, the Board adopted regulations give a more detailed picture of precisely what are and are not acceptable pesticide practices.

The Board adopted the following regulations and amendments in 2009:

### **02 NCAC 09L .0810                      ADOPTION BY REFERENCE**

The North Carolina Pesticide Board hereby adopts by reference, including subsequent amendments, Part 165 of Title 40: Protection of Environment of the Code of Federal Regulations, entitled "Pesticide Management and Disposal Subpart E – Standards for Pesticide Containment Structures." Copies of this material may be obtained at no cost from the U.S. Government Printing Office website, [www.gopaccess.gov/cfr/index.html](http://www.gopaccess.gov/cfr/index.html).

History Note: Authority G.S. 143-441; 143-461  
Eff. April 1, 2009.

### **02 NCAC 09L .1002                      GENERAL REQUIREMENTS**

- (c) (6) the year, month, date, and the specific time of day when each pesticide application was completed;
- (d) Each day of application shall be recorded as a separate record.

History Note: Authority G.S. 143-458; 143-466;  
Eff. July 2, 1976;  
Amended Eff. May 1, 2009;

### **02 NCAC 09L .1402                      RECORD KEEPING REQUIREMENTS**

the year, month, date and the specific time of day when each pesticide application was completed and each day of application shall be recorded as a separate record;

History Note: Authority G.S. 143-458; 143-463; 143-466(a);  
Eff. October 21, 1977;  
Amended Eff. April 1, 2009.

### **02 NCAC 09L .1807                      SPECIFIC INFORMATION ABOUT APPLICATIONS**

(a) Concerning application information requirements contained in 40 CFR Sections 170.122 and 170.222 the following is also required to be completed by the agricultural employer:

- (1) In addition to the requirements of Sections 170.122(c)(3), and 170.222(c)(3), the specific time of day when each pesticide application was completed must be recorded immediately upon completion of the application. Each day of the application shall be recorded as a separate record. After the application information referenced in (a)(1) of this Rule and the other information in Sections 170.122(c) and 170.222(c) has been displayed for the required period of time in Section 170.122(b) and 170.222(b), the agricultural employer shall maintain the information for a period of two years from the specific time of day when each pesticide application was completed. Such information shall be available for inspection and copying by the Board or its agents upon their request.
- (b) In addition to information contained in Section 170.224(b), the handler employer must make the agricultural owner aware of the specific time of day when each pesticide application was completed. The agricultural employer shall display the information immediately and shall make it part of the record required to be maintained in Paragraph (a)(1) and (2) of the Rule.

History Note: Authority G.S. 143-466(a);  
Eff. May 1, 2009.

**02 NCAC 09L .1901**

**DEFINITIONS**

(7) Bulk Storage. Commercial Storage of any pesticide held in stationary pesticide containers designed to hold undivided quantities equal to or greater than 500 gallons (1,890 liters) of liquid pesticide or equal to or greater than 4,000 pounds (1,818 kilograms) of dry pesticide are subject to the regulations in this Rule unless any of the following conditions exists: The container is empty, that is, all pesticide that can be removed by the methods such as draining, pumping, or aspirating has been removed (whether or not the container has been rinsed or washed).

The container holds only pesticide rinsates or wash waters, and is labeled accordingly.

The container holds only pesticides which would be gaseous when released at atmospheric temperature and pressure.

The container is dedicated to non-pesticide use, and is labeled accordingly.

History Note: Authority G.S. 143-437; 143-441; 143-461; 143-466;  
Eff. January 1, 1984;  
Amended Eff. April 1, 2009.

**02 NCAC 09L .1914**

**BULK STORAGE REQUIREMENTS**

(a) Outlets, filler and access ports shall be locked at all times when not in use. Keys to the outlet, filler and access ports shall be in the possession of the purchaser and authorized employees only. Locks on ports are not required if bulk tanks are stored inside a facility utilizing security precautions that prevent unauthorized access to the bulk pesticide storage area.

(b) All bulk pesticide storage tanks must display the appropriate signal word as shown on the label on all sides exposed to view. The words shall be either stenciled directly on the containers or storage tanks or placed on a sign of durable construction which is firmly attached to the containers and storage tanks. All letters of said words shall be a minimum of four inches in height and one inch in width, and shall be printed in contrasting colors to the containers and storage tanks which are readily visible. All bulk storage areas shall be posted with a durable sign stating "PESTICIDE STORAGE." "AUTHORIZED PERSONNEL ONLY," "IN CASE OF EMERGENCY CALL \_\_\_\_\_"

Pesticide applicators utilizing bulk storage containers shall be subject to the same requirements as set forth in the Rule.

History Note: Authority G.S. 143-441; 143-461;  
Eff. April 1, 2009.

**SECTION .2200 – INTERIM PROTECTION MEASURES FOR THE CAROLINA  
HEELSPLITTER MUSSEL**

(See 02 NCAC 09L SECTION .2200 for the regulation in its entirety.)

**In 2010 the following changes to the North Carolina Pesticide Law of 1971 were instituted by the North Carolina General Assembly:**

- 1.) License fees were increased to \$75.00.
- 2.) Private applicator certification fees were increased to \$10.00.
- 3.) Fees were instituted for pesticide examinations.

## North Carolina Pesticide Board

The North Carolina Pesticide Board is a seven-member, governor appointed Board charged with the duty of governing pesticide management and control as set forth in the North Carolina Pesticide Law of 1971 §143-436. The members represent different sectors of the regulated public.

The Board adopts rules and regulations and makes policies for the program outlined in the North Carolina Pesticide Law of 1971. Board members serve staggered four-year terms. Appointments to fill vacancies in the Board are of individuals having the same credentials as the predecessor.

### MEMBERS OF THE NORTH CAROLINA PESTICIDE BOARD, 2010

One member each representing the North Carolina Department of Agriculture and Consumer Services; the North Carolina Department of Environment and Natural Resources; and the State Health Director or his designee. The persons so selected may be either members of a policy board or departmental officials or employees.

**Dr. Colleen M. Hudak-Wise**, Director, Agronomic Services Division,  
N. C. Department of Agriculture and Consumer Services, 1040 Mail Service Center, Raleigh, NC 27699-1040  
(Tel. 919/733-2655 office) colleen.hudak@ncagr.gov

\* **Dr. Ricky L. Langley**, Medical Epidemiologist, Occupational and Environmental Epidemiology Section,  
N. C. Department of Health and Human Services, 1912 Mail Service Center, Raleigh, NC 27699-1912  
(Tel. 919/715-6428 office) rick.langley@ncmail.net

**Ms. Robin W. Smith**, Assistant Secretary for Planning and Policy,  
N.C. Dept. of Environment and Natural Resources, 1601 Mail Service Center, Raleigh, NC 27699-1601  
(Tel. 919/715-4141) robin.w.smith@ncmail.net

#### A representative of the agricultural chemical industry.

\*\* **Dr. Thomas Allen Scarborough**,  
7905 Farnham Ct., Raleigh, NC 27616  
(Telephone: 919/676-4113 work) allen.scarborough@bayercropscience.com

#### A person directly engaged in agricultural production.

**Mr. William "Shawn" Harding**,  
762 Harding Lane, Chocowinity, NC 27817  
(Tel. 252/946-9349 home) info@southsidefarms.com

#### Two at-large members, from other fields of endeavor, one of whom shall be a nongovernmental conservationist.

**Mr. Don F. Rogers**,  
2040 Dove Lane, Clayton, NC 27527  
(Tel. 919/359-1004 home) neuseriverinspect@embarqmail.com

**Dr. W. Benson Kirkman**,  
3712 Eakley Court, Raleigh, NC 27606  
(Tel. 919/859-1187 home) bkirkman@mindspring.com

\* Chairman

\*\* Vice Chairman

Secretary, James W. Burnette, Jr.

North Carolina Pesticide Board

1090 Mail Service Center, Raleigh, NC 27699-1090

# North Carolina Pesticide Board Meetings

## February 8, 2010

The Board considered a Pesticide Environmental Trust Fund proposal from the NC Farmworker Health Program (NCFHP); Pesticide Environmental Risk Reduction in Farmworkers; A Project Using AmeriCorp Worker Protection Standard (WPS) Trainers in Primary Health Care Facilities. NCFHP requested \$63,097.00 to fund travel, stipend and annual membership fees for AmeriCorps SAFE; which will allow the bilingual WPS trainers to educate farmworkers on pesticide safety. The Board approved the PETF proposal.

## March 15, 2010

Assistant Attorney General Barry Bloch presented settlement agreements for the Board's consideration and approval.

The Board considered the proposed revision to 02 NCAC 09L .1111, CERTIFICATION/RECERTIFICATION FEE: A nonrefundable fee of six dollars (6.00) ten dollars (\$10.00) shall be required for private pesticide applicator certification or recertification. Authority G.S. 143-440(b). The Board approved the proposed revision.

The Board considered the resignation of Mr. Ted Cashion from the Pesticide Advisory Committee. Mr. Cashion held the position "One member representing the Division of Waste Management of the N.C. Department of Environment and Natural Resources". The Board approved the motion.

The Board considered a letter of recommendation for a new Pesticide Advisory Committee member appointment for the vacant position: "One member representing the Division of Waste Management of the N.C. Department of Environment and Natural Resources". The letter recommended Ms. Jenny Patterson for the position, which was approved by the Board.

A PETF proposal was presented to the Board by Dr. Henry Wade, NCDA&CS, requesting additional funding for the Plastic Pesticide Container Recycling Program for 2010. The proposed \$60,000.00 funding was approved.

A request for additional PETF funding for the Inspection Data Management Systems utilized by NCDA&CS, Structural Pest Control & Pesticides Division, was presented by Mr. John Dalley. Mr. Jeff Haynes, USDA gave his support of this system and explained the benefits of the system in communication between NCDA&CS and USDA. The Board approved the proposal of \$115,720.00 for continuance of the system.

A PETF temporary funding request for the NC Acute Pesticide Illness and Injury Surveillance Program was presented by Ms. Sheila Higgins, N.C. Department of Public Health. Eight months of transition funding in the amount of \$14,808.00 was approved by the Board.

## June 9, 2010

Ms. Kay Harris, NCDA&CS, presented the financial status of the Pesticide Environmental Trust Fund to the Board. The detailed financial statement covered the PETF expenditures from the years 1995 to 2009.

The Board considered the proposed appeal settlement of Oxley vs. NCDA&CS, 09 CVS 06931, from the Board's orders of March 7, 2008 and March 6, 2009. Following the Board's discussion, the settlement agreement was approved.

Assistant Attorney General Barry Bloch presented settlement agreements for the Board's consideration and approval.

## September 14, 2010

A presentation of the N.C. Worker Protection Standard Self-Assessment Tool was given by Ms. Michele Proctor, NCSU Masters Candidate. The toolkit is designed to help farmers and workers with their requirements of WPS.

A PETF Mid-Year Grant Report of the NC SAFE Pesticide Education Training Program was presented by Ms. Fiorella Horna-Guerra.

Assistant Attorney General Barry Bloch presented settlement agreements for the Board's consideration and approval.

## November 9, 2010

Dr. Wayne Buhler, NCSU, presented a final report on a Pesticide Environmental Trust Fund (PETF) project: Aerial Pesticide Applicator Fly-in Workshop – Aviation S.A.F.E. System. Dr. Buhler gave a brief overview of how the workshop was conducted and highlights of the workshop events.

Assistant Attorney General Barry Bloch presented settlement agreements for the Board's consideration and approval.

# The North Carolina Pesticide Advisory Committee

The North Carolina Pesticide Law of 1971 §143-436 establishes a twenty-member Pesticide Advisory Committee to advise the N.C. Pesticide Board on technical questions and on the development of rules and regulations. Members of the Advisory Committee represent different sectors of the regulated public. Members of the Committee serve at the pleasure of the Board.

## MEMBERS OF THE N.C. PESTICIDE ADVISORY COMMITTEE, 2010

### Three practicing farmers

\***Mr. Dan McConnell**, 475 Old Dana Road, Hendersonville, NC 28792 (Tel. 828/692-2819)

\***Mr. Marshall W. Grant**, Route 1, Box 66, Garysburg, NC 27831 (Tel. 919/537-5111 home) dg0@charter.net

\***Mr. Darryl K. Corriher**, 1475 Corriher Springs Road, China Grove, NC 28023 (Tel. 704/857-6557 home) dbcorriher@ctc.net

### One conservationist (at large)

\***Mr. John Paul Lilly**, 312 Hampton Drive, Plymouth, NC 27962 (Tel. 252/793-2088 home) jpl@mchsi.com

### One ecologist (at large)

\*\***Dr. Johnny Randall**, Assistant Director for Conservation,  
NC Botanical Garden, CB 3375, UNC-CH, Chapel Hill, NC 27599  
(Tel. 919/962-0522) jrandall@email.unc.edu

### One representative of the pesticide industry

\***Dr. Stewart Sherrick**, 4774 River Farm Road, Rocky Mount, NC 27803  
(Tel. 252/442-8374) stewart.l.sherrick@monsanto.com

### One representative of agri-business (at large)

\*\***Mr. William M. McLawhorn**, PO Box 370, Cove City, NC 28523 (Tel. 252/514-2416 home) bmclawhorn@ncsiag.com

### One local health director

\*\***Mr. Phillip E. Tarte**, MHA, Union County Health Dept., 1224 W. Roosevelt Blvd., Monroe, NC 28110  
(Tel. 704/296-4801 office) phillptarte@co.union.nc.us

### Three members of the North Carolina State University (NCSU) College of Agriculture & Life Sciences, at least one of which shall be from the area of wildlife or biology

\***Dr. Clyde E. Sorenson**, Associate Professor, Dept. of Entomology, NCSU, Box 7630, Raleigh, NC 27695-7630  
(Tel. 919/515-8427 office) clyde\_sorenson@ncsu.edu

\***Dr. Rick Brandenburg**, Professor & Extension Entomology, Dept. of Entomology, NCSU, Box 7613,  
Raleigh, NC 27695-7613 (Tel. 919/515-8876 office) rick\_brandenburg@ncsu.edu

\***Dr. David Jordan**, Peanut Specialist, Dept. of Crop Science, NCSU, Box 7620, Raleigh, NC 27695-7620  
(Tel. 919/515-4068 office) david\_jordan@ncsu.edu

### One member representing the North Carolina Department of Agriculture & Consumer Services (NCDA&CS); one member representing the North Carolina Department of Environment & Natural Resources (NCDE&NR); the State Health Director or his designee

\***Mr. James W. Burnette, Jr.**, Pesticide Administrator, Structural Pest Control & Pesticides Div., NCDA&CS,  
1090 Mail Service Center, Raleigh, NC 27699-1090 (Tel. 919/733-3556 office) james.burnette@ncagr.gov

\***Mr. Ted Bush**, Division of Water Quality, NCDE&NR, 1636 Mail Service Center, Raleigh, NC 27699-1636  
(Tel. 919/715-6172 office) ted.bush@ncdenr.gov

\***Dr. Mina W. Shehee**, Division of Public Health, Dept. of Health & Human Services,  
2622 Meronies Church Road, Bear Creek, NC 27207 (Tel. 919/837-5148) mina.shehee@ncmail.net

### One representative of a public utility or railroad company which uses pesticides

\***Mr. Jimmy Brown**, Energy United, PO Box 1831, Statesville, NC 28687  
(Tel. 704/924-2143) jimmy.brown@energyunited.com

One representative of the Board of Transportation

**\*Mr. Don Lee**, NC Dept. of Transportation, Roadside Environmental Unit,  
1557 Mail Service Center, Raleigh, NC 27699-1557 (Tel. 919/733-2520 office) dlee@dot.state.nc.us

One member of the North Carolina Agricultural Aviation Association

**\*Mr. Harold Thompson**, Air Ag, Inc., PO Box 36, Tarboro, NC 27886 (Tel. 252/823-5374 office) Harold@airag.com

One member of the general public (at large)

**\*Mr. Warren A. Davis**, 7320 Valley Lake Drive, Raleigh, NC 27612 (Tel. 919/848-1051)

One member actively engaged in forest pest management

**\*Mr. Coleman A. Doggett**, 217 Rosecommon Way, Cary, NC 27511  
(Tel. 919/467-0551 home) ncdoget@mindspring.com

One member representing the Division of Waste Management of the North Carolina Department of Environment and Natural Resources

**\*Ms. Jenny Patterson**, Division of Solid Waste Management, NCDE&NR, PO Box 11213, Winston-Salem, NC 27116  
(Tel. 336/767-0031) jenny.patterson@ncdenr.gov

\*Agency appointments

\*\*Appointed by Board

Chairman, Vacant

Vice-Chairman, Marshall W. Grant

Secretary, James W. Burnette, Jr., 1090 Mail Service Center, Raleigh, NC 27699-1090

# PESTICIDE ENVIRONMENTAL TRUST FUND

Throughout 2010, the North Carolina Department of Agriculture & Consumer Services (NCDA&CS) continued to fulfill the mandate of N.C. General Statutes §143-442 and §143-468 which specify the collection and disposition of environmental assessment fees that pesticide manufacturers and distributors pay when they register pesticide products for sale in North Carolina.

## RECEIPTS for 2010

NCDA&CS collected \$ 351,675.00 in environmental assessment fees from the registration of approximately 14,395 pesticide brands during 2010. Fifty-three percent of the receipts were for products with reported annual North Carolina gross sales of less than \$5,000, and forty-seven percent of the receipts were for products with annual sales of \$5,000 or more. (The annual environmental assessment/product is \$25 or \$50 per brand, respectively.)

## BALANCES for 2010

Initial receipts from pesticide registrants paying PETF assessments are deposited into the NCDA&CS Pesticide Environment Assessment Fund (PEAF, Account No. 6136). Transfers are made from Account No. 6136 according to North Carolina G.S. § 143-468(b) as follows: 25% to agromedicine and 75% to the Pesticide Environmental Trust Fund (PETF, Account No. 6137), the account which is used by NCDA&CS to sponsor the various pesticide environmental programs summarized in this report.

As of December 31, 2010 there was a balance of \$ 407,903.47 in Account No. 6136 and a balance of \$ 225,997.37 in Account No. 6137. The total amount in both accounts as of December 31, 2010 was \$ 633,900.84

## EXPENDITURES FOR 2010

During 2010, NCDA&CS expended a total of \$ 703,400.61 from Account Nos. 6136 and 6137.

As specified in North Carolina G.S. § 143-468(b), PETF funds were distributed to North Carolina State University (NCSU), NC A&T State University and East Carolina University for operational expenses associated with administering and implementing a statewide agromedicine program; each university received 2.5% of the total PETF receipts collected during the calendar year. Twenty-percent of the total PETF receipts were used to support the agromedicine information specialist position in NCSU's Environmental & Molecular Toxicology Department. The aggregate amount of PETF funds spent on agromedicine during 2010 was \$ 130,230.18

Funds from the PETF totaling \$60,000.00 were awarded to support local recycling of plastic pesticide containers during 2010.

## CUMULATIVE PETF FIGURES (1993-2010)

As of December 31, 2010, a total of \$ 7,289,463.86 in receipts has been collected since the inception of the PETF.

Since 1993, PETF has provided a total of \$ 1,868,635.34 for support of agromedicine in North Carolina.

Expenditures for pesticide environmental programs between 1995 and 2010 have totaled \$5,303,322.68

# **Pesticide Environmental Trust Fund (PETF) Project Summaries**

## **Pesticide Environmental Risk Reduction in Farmworkers; A Project Using AmeriCorps WPS Trainers in Primary Health Care Facilities (\$63,097.00) [2010]**

Fiorella Horna-Guerra NC Farmworker Health Program, NC Department of Health and Human Services, principal investigator, - a project to provide WPS and pesticide safety training to farmworkers and their communities. Training will convey measures to reduce exposure to pesticides in the workplace and home utilizing volunteers from the Association of Farmworkers Opportunity Programs (AFOP) located throughout at six NC Farmworker Health Program contract sites. The Association of Farmworker Opportunity Programs and its member organizations serve farmworkers in 49 states and Puerto Rico to provide job training, pesticide safety education, emergency assistance to farmworkers.

## **Temporary Funding to Continue the NC Acute Pesticide Illness and Injury Surveillance Program, NC Division of Public Health (\$14,808.00) [2010]**

Shelia Higgins RN MPH COHN-S, Occupational Surveillance Unit, NC Dept. Public Health, principal investigator – a request for temporary funding to continue operation of the NC Acute Pesticide Surveillance Program until anticipated federal funding resumes in November/December 2010.

## **NCDA & CS Structural Pest Control and Pesticides Division, Inspection Data Management System (Phase II) (\$115,000.00) [2010]**

John Dalley and Dwight Seal, Eastern and Western District Inspector Managers, NCDA&CS SPC&PD respectfully, co-principal investigators,- a project to complete the Inspection Data Management System. The system will increase productivity, efficiency by allowing electronic inspection submissions directly to the data management system. Information is readily extractable using various correlations for reports and other management strategies.

## **Novel Insecticide Susceptibility Bioassay Based on Sugar Feeding (\$21,880.00) [2010]**

Dr. Charles Apperson et al, North Carolina State University, Dept of Entomology, principal investigator; - a project to develop a prototype insecticide susceptibility bioassay kit for mosquitoes based on ingestion of a carbohydrate energy source. Females of most species require vertebrate blood for egg production; mosquitoes also need to ingest a carbohydrate as an energy source to sustain flight activities. Carbohydrates are most often obtained from feeding on sugars that are available in the nectar of flowering plants. A two year project. (July 2010-July2012)

## **Pesticide Disposal Assistance Program**

The North Carolina Pesticide Disposal Assistance Program, created by the North Carolina Department of Agriculture & Consumer Services, provides the public a legal, free-of-charge, environmentally acceptable mechanism to dispose of unwanted or unusable pesticides. The Pesticide Disposal Program is a public service stewardship program contained within the Structural Pest Control and Pesticides Division.

The Pesticide Disposal Assistance Program disposes of pesticides collected at designated single day disposal collection sites and at permanent household hazardous waste collection sites across the North Carolina. In 2010, the Pesticide Disposal Assistance Program supervised the collection and disposal of 135,368 pounds of pesticide waste. A total of 41 single day disposal events were organized by NCDA&CS during 2010. NCDA&CS also assisted 26 counties in disposal of pesticides collected at permanent household hazardous waste (HHW) sites. A participant must notify the Pesticide Disposal Assistance Program prior to taking unwanted pesticides to a HHW site.

## **Pesticide Container Recycling Report for PETF in 2010**

Farmers and commercial pesticide applicators participated in the recycling of plastic pesticide containers by transporting their empties to collection sites that were established by county agencies. USAg Recycling, Inc., the ACRC approved recycler in North Carolina, reported that 424,650 pounds of plastic were recycled in 2010, which is a new record. Seventy-six counties had plastic pesticide container recycling programs during the year that used USAg Recycling, Inc. to recycle these containers that were used to make industrial type products.

Pesticide Environmental Trust Fund grants were awarded to 11 counties. They are

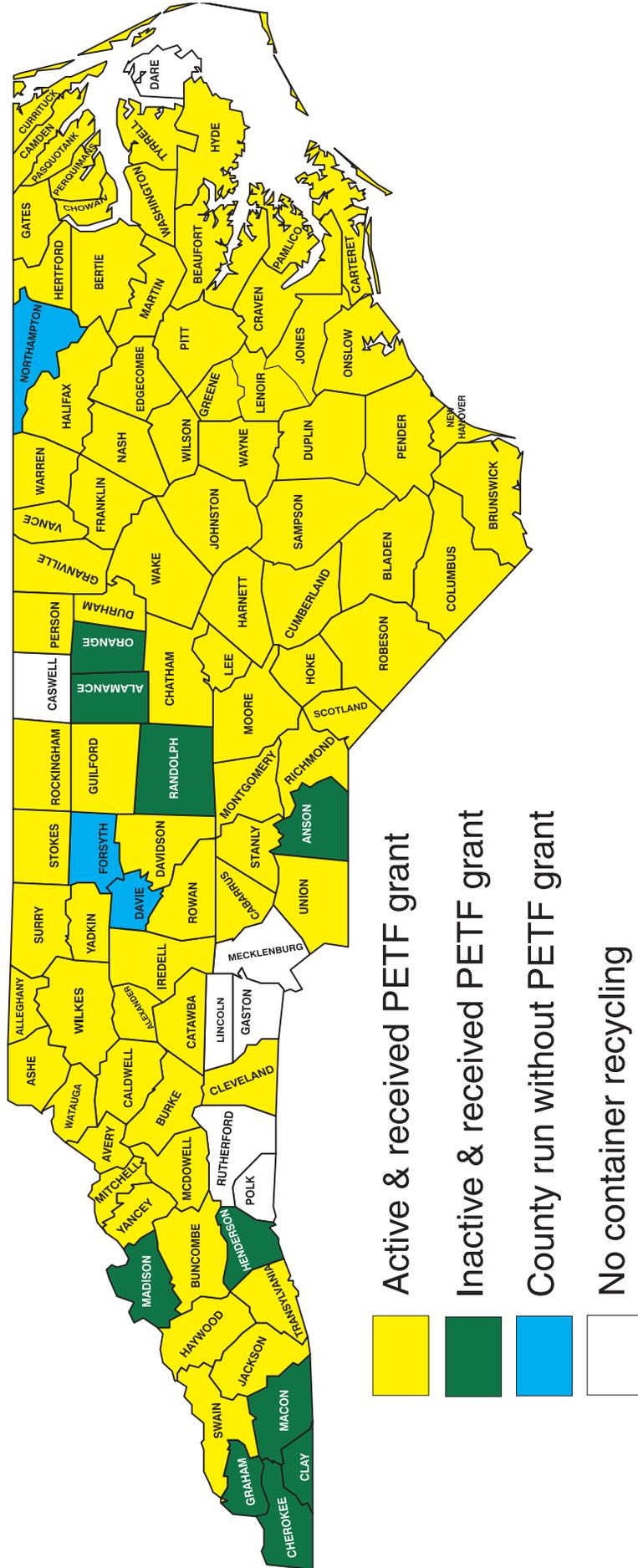
Avery, Bertie, Bladen, Caldwell, Camden, Chowan, Gates, Hyde, Johnston, Pasquotank, and Perquimans. The cumulative amount was \$51,850.

In recognition of their outstanding recycling programs in 2009, the John Smith Pesticide Container Recycling Awards were given to Bladen County for first place and Hertford County for second place. The first place prize was \$2,000, and the second place prize was \$1,000. The prizes are used to enhance their pesticide container recycling programs. Also, both counties received an award plaque.

Pesticide Inspector IIs visited recycling sites across the state to check on the cleanliness of pesticide containers being stored for recycling and to verify how previously awarded PETF grant money had been spent.

During the past year at farm shows, fairs, and other events, the Pesticide Section distributed pencils and calibration cups to promote the recycling of plastic pesticide containers. These items were also distributed to local pesticide container recycling programs. Also, some counties received the following ACRC training videos on container recycling: Inspecting Used Pesticide Containers for Recycling and Pesticide Residue Removal for Plastic Containers. An educational brochure, Recycling Works, was given to many counties for distribution to farmers and commercial pesticide applicators.

# Summary of 2010 Container Recycling Activities



## DEFINITIONS ADOPTED

Table I lists the analytical results of formulation samples based on the following:

**“PASSED”** - signifies that all active ingredients were found to be present at acceptable levels based on the label guarantee.

**“Failed Due to Deficient Active Ingredient”** – signifies that one or more active ingredients fell significantly below the guarantee. Such products are placed under “Stop Sale Order” and are removed from the market place.

**“Failed Due to Excessive Active Ingredient”** - indicates a significant excess of one or more active ingredients. Since such formulations could be harmful to the user and/or result in excessive residues, these products are placed under “Stop Sale Orders” and are removed from the market place.

Table II lists the analytical results of microbiological samples based on the following:

**“PASSED”** - indicates that the product was effective in killing the specific microorganisms guaranteed by the product label.

**“Failed”** - indicates that the product was ineffective in killing the specific microorganisms guaranteed by the product label or that bacterial contamination of the product was found.

Table III lists manufacturers that had products placed under “Stop Sale Orders” due to the following:

**“Unregistered”** - signifies that the product was not registered at the time it was found by a pesticide inspector in the marketplace. Any such product is required to be registered prior to release from a “Stop Sale Order.” A delinquent registration penalty is also assessed against the manufacturer.

**“Misbranded”** - indicates that the labeling of a pesticide product failed to conform to federal and/or state requirements.

**Table I - Analytical Results of Formulation  
Samples Collected During 2010**

Name and Address of Company	SAMPLES		
	Passed	Deficient Active Ingredient	Excessive Active Ingredient
Ace Hardware Corporation Oak Brook, IL .....	5	-	-
Aceto Ag Chemicals Corporation Lake Success, NY .....	1	-	-
Albaugh Inc. Cordova, TN .....	8	-	-
Alden Leeds, Inc. South Kearny, NJ.....	1	-	-
Alliance Trading, Inc. Covington, LA.....	2	-	-
Ambrands Salem, VA.....	16	-	-
Amtide, LLC Irvine, CA.....	1	-	-
Amvac Chemical Corporation Newport Beach, CA.....	6	-	-
Andersons Lawn Fertilizer Maumee, OH.....	2	-	-
Applied Biochemicals, Inc. Germantown, WI.....	2	1	-
Aquarium Pharmaceuticals, Inc. Chalfont, PA.....	2	-	-
Arch Chemicals, Inc. Atlanta, GA.....	7	-	-
Arysta Life Science NA Cary, NC.....	16	-	-
Bacon Products Company Chattanooga, TN .....	1	-	-
BASF Corporation Research Triangle Park, NC .....	15	-	-
Bayer Advanced, LLC Research Triangle Park, NC .....	2	-	-
Bayer Corporation/Agri Division Research Triangle Park, NC .....	33	1	-
Bayer Crop Science LP Research Triangle Park, NC .....	2	-	-
Bayer Environmental Sciences Research Triangle Park, NC .....	2	-	-
Bengal Chemical Inc. Baton Rouge, LA .....	7	-	-
Bonide Products Inc. Oriskany, NY.....	58	1	-
C. J. Martin Company Pasadena, TX.....	2	-	-
Cape Fear Chemicals Elizabethtown, NC.....	16	-	-
Cheminova, Inc. Arlington, VA.....	6	-	-
Chemnico, Division of United Industries St. Louis, MO.....	9	-	-
Chem-Tec, Inc. Winston-Salem, NC.....	2	-	-
Chemtura USA Corporation Middlebury, CT .....	3	-	-
Cleary Chemical Corporation Dayton, NJ.....	2	-	-
Combat Insect Control Systems Washington, DC .....	2	-	-
Control Solutions Inc. Pasadena, TX.....	16	1	-
Copper Brite Inc. Santa Barbara, CA .....	3	-	-

**Table I - Analytical Results of Formulation  
Samples Collected During 2010**

Name and Address of Company	SAMPLES		
	Passed	Deficient Active Ingredient	Excessive Active Ingredient
Cut-Heal Animal Care Products, Inc. Cedar Hill, TX .....	1	-	-
Diversified Pool Products Spartanburg, SC.....	2	-	-
Dow Agrosiences, LLC Indianapolis, IN.....	16	-	-
Drexel Chemical Company Memphis, TN .....	10	1	-
Du Pont de Nemours and Company, E.I. Wilmington, DE.....	3	-	-
Durvet Inc. Blue Springs, MO .....	3	-	-
Enforcer Products Inc. Atlanta, GA.....	7	-	-
Etigra Cary, NC.....	2	-	-
Farm Saver.com, LLC Collierville, TN .....	4	-	-
Farnam Companies Inc. Phoenix, AZ.....	7	-	-
FMC Corporation/Agricultural Products Philadelphia, PA .....	8	-	-
Gowan Company Yuma, AZ.....	3	-	-
Grant Labs / Reg By Design Salem, VA.....	1	-	-
Griffin LLC Newark, DE .....	2	-	-
Gro Tec, Inc. Covington, GA .....	4	-	-
Happy Jack, Inc. Snow Hill, NC .....	3	-	-
Hartz Mountain Corporation Secaucus, NJ .....	13	-	-
HBC Chemical, Inc. Monroe Township, NJ .....	1	-	-
Helena Chemical Company Collierville, TN .....	6	-	-
IMS Trading LLC Los Angeles, CA.....	1	-	-
Independent Agribusiness Fresno, CA .....	1	-	-
Insect Shield Greensboro, NC .....	1	-	-
Isagro USA, Inc. Alpharetta, GA.....	2	-	-
J. Oliver Products, LLC Hernando, MS .....	1	-	-
J.T. Eaton & Company Hillsboro, MO.....	1	-	-
Jungle Laboratories Cibolo, TX.....	1	-	-
King Technology, Inc. Hopkins, MN.....	1	-	-
KMG-Bernuth, Inc. Houston, TX.....	4	-	-
Lawn and Garden Products Fallon, NV.....	2	-	-
Leisure Time Germantown, WI.....	1	-	-
Lesco, Inc. Cleveland, OH.....	1	-	-

**Table I - Analytical Results of Formulation  
Samples Collected During 2010**

Name and Address of Company	SAMPLES		
	Passed	Deficient Active Ingredient	Excessive Active Ingredient
Lilly Miller Brands Salem, VA.....	1	-	-
Loveland Industries Inc. Greeley, CO.....	18	1	-
Luxembourg-Pamol, Inc. Memphis, TN.....	2	-	-
Maid Brands, Inc. Greely, CO.....	3	-	-
Makhteshim-Agan of North America, Inc. Collierville, TN.....	12	-	-
Matson, LLC Salem, VA.....	1	-	-
Merial Limited Duluth, GA.....	2	-	-
Mey Corporation Chapel Hill, NC.....	1	-	-
Monsanto Agricultural Company St. Louis, MO.....	13	-	-
N. Jonas & Company, Inc. Bensalem, PA.....	1	-	-
Nufarm Inc. Cary, NC.....	10	-	-
OHP, Inc. Alphretta, GA.....	1	-	-
Orange Guard, Inc. Carmel Valley, CA.....	1	-	-
Ortho Group, The Columbus, OH.....	37	-	-
P.F. Harris Manufacturing Company, Inc. Alpharetta, GA.....	3	-	-
PBI/Gordon Corporation Kansas City, MO.....	30	-	-
PIC Corporation Voorhees, NJ.....	6	-	-
PPG Industries, Inc. Washington, DC.....	2	-	-
Prokoz, Inc. Alpharetta, GA.....	2	-	-
Recreational Water Products Buford, GA.....	5	-	-
Red Eagle International, LLC Hockessin, DE.....	1	-	-
S.C. Johnson & Son, Inc. Racine, WI.....	8	-	-
Safer, Inc. Lititz, PA.....	-	1	-
Scotts Company, The Marysville, OH.....	7	-	-
Senoret Chemical Company Inc. St. Louis, MO.....	4	-	-
Sepro Corporation Carmel, IN.....	1	-	-
Sergeant's Pet Products, Inc. Omaha, NE.....	8	-	-
Setre Chemical Company Collierville, TN.....	1	-	-
Sipcam Agro USA, Inc. Durham, NC.....	3	-	-
Southern Agricultural Insecticides Inc. Palmetto, FL.....	28	-	-
Southern States Cooperatives Inc. Richmond, VA.....	1	-	-

**Table I - Analytical Results of Formulation  
Samples Collected During 2010**

Name and Address of Company	SAMPLES		
	Passed	Deficient Active Ingredient	Excessive Active Ingredient
Spectrum Group, Division of United Industries St. Louis, MO.....	25	-	-
Star Horses Products/ Adam Tech Alpharetta, GA.....	1	-	-
Summit Chemical Company Baltimore, MD.....	1	-	-
Swiss Farms Products Inc. Las Vegas, NV.....	9	-	-
Syngenta Crop Protection Greensboro, NC.....	45	1	-
Tech Pac LLC Covington, GA.....	8	-	-
Tenkoz Inc. Alpharetta, GA.....	7	-	-
Tessengerlo Kerley, Inc. Phoenix, AZ.....	1	-	-
Tetra Holdings, Inc. Blacksburg, VA.....	1	-	-
Trace Mountain, LLC Gig Harbor, WA.....	1	-	-
True Value Hardware Stores Greely, CO.....	2	-	-
United Phosphorus, Inc. King of Prussia, PA.....	10	-	-
Universal Cooperative, Inc. Eagan, MN.....	6	-	-
Universal Crop Protection Alliance, LLC Eagan, MN.....	6	-	-
Valent USA Corporation Walnut Creek, CA.....	3	-	-
Virbac, Inc. Fort Worth, TX.....	1	-	-
Voluntary Purchasing Groups Inc. Bonham, TX.....	55	-	-
W F Young, Inc. Hillsboro, MO.....	1	-	-
Walco-Linck Company Bedford Heights, OH.....	2	-	-
Waterbury Companies, Inc. Independence, LA.....	5	-	-
Wellmark International Schaumburg, IL.....	12	-	-
Whitmire Micro-Gen Research Laboratories St. Louis, MO.....	7	-	-
Willert Home Products, Inc. St. Louis, MO.....	1	-	-
Winfield Solutions St. Paul, MN.....	1	-	-
Woodstream Corporation Lititz, PA.....	1	1	-

**Table II - Analytical Results of Microbiological  
Samples Collected During 2010**

Name and Address of Company	SAMPLES	
	Passed	Failed
Amrep, Inc. Marietta, GA .....	1	-
Betco Corporation Toledo, OH.....	-	2
Butcher Company, The Sturtevant, WI.....	-	2
Carolina Janitorial & Maintenance Supply Raleigh, NC.....	1	-
Chase Products Broadview, IL.....	1	-
Handi-Clean Products, Inc. Greensboro, NC .....	1	4
Hillyard Industries St. Joseph, MO.....	-	3
Industrial Paper Products Burlington, NC.....	-	2
Misco Products Corporation Reading, PA.....	-	3
Proctor & Gamble Cincinnati, OH .....	1	-
Spartan Chemical Company, Inc. Maumee, OH .....	1	4
Ultra Chem Industries Pomona, CA .....	-	2
Wepak Corporation Charlotte, NC.....	-	3

**Table III - Manufacturers Found to Have Unregistered or Misbranded Products in the Marketplace During 2010**

Name and Address of Company	SAMPLES	
	Unregistered	Misbranded
Aero Chemical Company Atlanta, GA 30321 .....	1	-
Agipharm Products Westlake, TX 76262 .....	1	-
Albertsons, Inc. Boise, ID 83726 .....	1	-
Albertsons, Inc. Value Garden Supply St. Joseph, MO 64502 .....	1	-
Alliance Trading, Inc. Covington, LA 70433 .....	2	2
Bengal Chemical, Inc. Baton Rouge, LA 70835 .....	1	-
BioDefend Camden, AL 36726 .....	1	-
BioLogic West Point, MS 39773 .....	1	-
Black Flag Brands, LLC New York Mills, NY 13417 .....	1	-
Bobbi Panter, LLC Chicago, IL 60654 .....	1	1
Boss Products Accumetric, Inc. Elizabethtown, KY 42701 .....	1	-
Bisky Pet Products Franklinville, NY 14737 .....	1	1
Bramton Company, The Dallas, TX 75265 .....	4	-
Bug Band, Inc. Cartersville, GA 30120 .....	1	-
Bye-Bye Blackfly Onchiota, NY 12989 .....	1	-
Canberra Corporation Toledo, OH 43615 .....	2	-
Casco Products Brookhaven, MS 39601 .....	1	-
Central Solutions, Inc. Kansas City, KS 66115 .....	1	-
Chem Lab Products, Inc. Ontario, CA 91761 .....	7	-
Chemco Corporation Miami, FL 33014 .....	1	-
Chem-Tech, Ltd. Des Moines, IA 50321 .....	1	-
China Mystique International Sault Saint Marie, MI 49783 .....	1	1
Clift Industries, Inc. Charlotte, NC 28226 .....	1	-
Clorox De Mexico Tlalnepantla, Edo, de Mex .....	1	-
Comstar International, Inc. College Point, NY 11356 .....	1	-
Conwood Corporation Household Products Division Memphis, TN 38101 .....	1	-
Cosmos Corporation Wentzville, MO 63385 .....	1	-
Cutting Edge Formulations Buford, GA 30518 .....	1	-
Delta Brands, Inc. Larchmont, NY 10538 .....	1	-
Disease Prevention Technology International, Inc. Marietta, GA 30067 .....	1	-
Drexel Chemical Company Memphis, TN 38113 .....	-	1

**Table III - Manufacturers Found to Have Unregistered or Misbranded Products in the Marketplace During 2010**

Name and Address of Company	SAMPLES	
	Unregistered	Misbranded
Durvet, Inc. Blue Springs, MO 64014 .....	1	-
DVM Pharmaceuticals, Inc. Miami, FL 33169.....	1	-
EcoPure Naturals and Our Pets Brand Fairport Harbor, OH 44077.....	5	-
Ecosmart Technologies, Inc. Franklin, TN 37067 .....	1	-
Eight In One Pet Products, United Pet Groups, Inc. Cincinnati, OH 45230 .....	2	1
EnviroDyne, Inc. Manistee, MI 49660.....	1	-
Equinature, LLC Northbridge, MA 01534 .....	1	-
Far East Brokers and Consultants, Inc. Jacksonville, FL 32216 .....	1	-
Fasst Products, Inc. Rockville Centre, NY 11570 .....	2	-
Fly Free Zone, Inc. Santa Monica, CA 90402 .....	2	-
Garmon Corporation, The Temecula, CA 92590 .....	3	-
Gateway Products, Inc. Holly, CO 21047 .....	1	-
Glo-Marr Products, Inc. Lawrenceburg, KY 40342 .....	2	-
Greenbrier International, Inc. Chesapeake, VA 23320 .....	1	-
Gro Tec, Inc. Madison, GA 30650.....	2	-
Hacco, Inc. Randolph, WI 53956.....	2	-
Hartz Mountain Corporation, The Secaucus, NJ 07094 .....	1	-
Harvard Chemical Research, Inc. Atlanta, GA 30354.....	1	-
Healthy Hair Care Products Lederach, PA 19450 .....	1	1
Holt Paper & Chemical Company, Inc. Baltimore, MD 21230.....	1	-
Homs, LLC Clayton, NC 27520 .....	1	-
Howard Johnson's Enterprises, Inc. Milwaukee, WI 53204 .....	2	-
Hydro-Organics Products Chico, CA 95027 .....	1	-
IndsuCo, Ltd. Greensboro, NC 27405 .....	1	-
IPC Janitorial & Lighting Supplies of Fayetteville, Inc. Fayetteville, NC 28306.....	3	-
ITW Dymon Olathe, KS 66051 .....	1	-
Jet-Lube, Inc. Houston, TX 77028.....	1	-
Kiss My Face Corporation Gardiner, NY 12525.....	1	-
Kittrich Corporation La Mirada, CA 90638 .....	1	-
Kor-Chem, Inc. Atlanta, GA 30336.....	1	-
Lafe's Natural and Organic Austin, TX 78753 .....	1	-

**Table III - Manufacturers Found to Have Unregistered or Misbranded Products in the Marketplace During 2010**

Name and Address of Company	SAMPLES	
	Unregistered	Misbranded
Lilly Miller Brands Clackamas, OR 27909 .....	1	-
Little Moon Essentials Steamboat Springs, CO 80477 .....	1	-
Loveland Products, Inc. Greeley, CO 80632.....	1	-
Lynwood Laboratories, Inc. Needham, MA 02492 .....	3	-
Maestro-Gro Hamilton, TX 76531 .....	-	1
Main Brands, Inc. Hazelwood, MO 63042.....	1	-
Maintenance Materials Resource, Inc. Clearwater, FL 33760 .....	1	-
Mango Pet Products, Inc. Smithfield , RI 02917 .....	1	-
Manna Pro Products, LLC St. Louis, MO 63005.....	1	-
Micro Flo Company, LLC Memphis, TN 38117 .....	1	-
National Chemical Laboratories, Inc. Philadelphia, PA 19123 .....	1	-
Natural Pest Solutions, Inc. Danbury, CT 06810 .....	1	-
Natural Products for Pets, Inc. Canoga Park, CA 91304 .....	2	-
Natureplex, LLC Memphis, TN 38118 .....	1	-
New Mountain Company, Inc. Las Vegas, NV 89193.....	1	-
Ortho Group, The Marysville, OH 43040.....	1	-
OxiBrands, LLC Melvindale, MI 48122 .....	1	-
P.F. Harris Manufacturing Company Alpharetta, GA 30009.....	1	-
Pegasus International, Inc. Fort Washington, PA 19034.....	3	-
Penn Champ Grand Rapids, MI 49544 .....	1	-
Perfectly Natural Solutions, Inc. Quebec, Canada J7V 5V5.....	1	-
Perfectly Natural Solutions, Inc. Pittsburgh, PA 15230.....	1	-
Perfectly Natural Solutions, Inc. Ontario, Canada L48-4R7 .....	1	-
PIC Corporation Linden, NJ 07036 .....	3	-
Pool Water Specialist Charlotte, NC 28215.....	2	-
Procter & Gamble, Inc. Toronto, Canada M5W 1C5.....	2	-
Progressive Products, LLC White Plains, NY 10604 .....	1	-
Pro-Serve, Inc. Memphis, TN 38116 .....	1	-
R & R Group, LLC Granite Bay, CA 95746.....	1	-
Rectoraecal Corporation, The Houston, TX 77055.....	1	-
Rite Aid Corporation Harrisburg, PA 17105 .....	1	-

**Table III - Manufacturers Found to Have Unregistered or Misbranded Products in the Marketplace During 2010**

Name and Address of Company	SAMPLES	
	Unregistered	Misbranded
RMB Group, LLC Stuart, FL 34997 .....	1	-
Rx Veterinary Products Westlake, TX 76262 .....	3	-
Safe Effective Alternatives, Inc. Bellville, IL 62222 .....	1	-
Safeguard Chemical Corporation Bronx, NY 10454 .....	18	-
Scent Shop Garland, TX 75041 .....	1	-
Security Products Company of Delaware, Inc. Minneapolis, MN 55459 .....	1	-
Seven Oaks Supply Company Oakboro, NC 28129 .....	1	-
Share Corporation Milwaukee, WI 53224 .....	1	-
Shepard Medical Carol Stream, IL 60188 .....	1	-
Siamons International Toronto, Canada M9W 1A4 .....	1	-
Simoniz USA, Inc. Bolton, CT 06043 .....	3	-
Solaris Group of Monsanto Company, The San Ramon, CA 94583 .....	1	-
Spectrum Group St. Louis, MO 63114 .....	6	-
Sunniland Corporation Sanford, FL 32772 .....	1	-
Sunstates Supply Company Greensboro, NC 27408 .....	1	-
Synergy Labs Animal Health Ft. Lauderdale, FL 33316 .....	7	-
Tender Corporation Littleton, NH 03561 .....	1	-
Thomas Laboratories Tolleson, AZ 85353 .....	2	-
Trinity Manufacturing, Inc. Hamlet, NC 28345 .....	4	-
Triple J Products, LLC Palatka, FL 32177 .....	2	-
Tropi Clean Division of Cosmos St Peters, MO 63376 .....	1	-
Union Grove Feed, LLC Union Grove, NC 28689 .....	1	-
USA Detergents, Inc. North Brunswick, NJ 08902 .....	1	-
Value Garden Supply, LLC St. Joseph, MO 64502 .....	1	-
Value Smart Products Suwanee, GA 30024 .....	1	-
Vereen's Fertilizer Kingstree, SC 29556 .....	2	-
Violet House Herbs Marion, NC 28752 .....	5	-
Vogel Seed & Fertilizer, Inc. Jackson, WI 53037 .....	1	-
Voluntary Purchasing Groups, Inc. Bonham, TX 75418 .....	2	-
Wellmark International Schaumburg, IL 60173 .....	1	-
Whup-A-Bug, Inc. Waynesville, NC 28785 .....	5	-

**Table III - Manufacturers Found to Have Unregistered or Misbranded Products in the Marketplace During 2010**

Name and Address of Company	SAMPLES	
	Unregistered	Misbranded
Xtreme Design Labs, Inc. Tuscola, TX 79562.....	1	-
Zodiac Pet Products Dallas, TX 75234.....	1	-
Zoo Med Laboratories, Inc. San Luis Obispo, CA 93401.....	1	-

**Summary of 2010  
Program Activities Performed  
Under the N. C. Pesticide Law of 1971**

**PESTICIDE REGISTRATIONS**

Total Number of Registrants .....	1,470
Registrants from North Carolina.....	101
Pesticide Products Registered.....	14,395
Section 24(c) Registrations .....	46
Section 18 Exemptions.....	0
Product Registration Checks .....	17,011

**COMPLIANCE MONITORING**

Inspections .....	11,652
Worker Protection .....	442
USDA.....	179
Investigations.....	99
Citizen's Inquiries.....	134

**Physical Samples Submitted for Analyses**

Formulation .....	811
Disinfectants.....	34
Investigation .....	191
Domestic Wells.....	10

**REGULATORY ACTIONS**

Stop-Sale, Stop Use, Removal Orders.....	210
License or Certification Suspensions .....	1
License Revocations.....	0
Civil Penalties .....	55
Notices of Noncompliance.....	302
Notices of Warning .....	12
Delinquent Registration Penalties.....	\$ 16,600.00

**Courses Approved**

Number of courses .....	1,381
Number of credits issued.....	3,037

**EXAMINATIONS**

Exams Administered.....	5,995
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**LICENSED APPLICATORS**

Pesticide Dealer Licenses .....	611
Ground Pesticide Applicator Licenses.....	9,790
Aerial Pesticide Applicator Licenses.....	103
Public Operator Licenses .....	4,588
Pest Control Consultant Licenses.....	87
Total Pesticide Licenses.....	15,177

**CERTIFIED APPLICATORS**

Private Pesticide (Active) Applicators .....	16,262
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**PESTICIDE ENVIRONMENTAL TRUST FUND**

Active Projects .....	4
Disbursements.....	\$ 405,015.18
Agromedicine .....	130,230.18
Container Recycling .....	60,000.00
Other Environmental Projects .....	\$ 214,785.00

**Plastic Pesticide Container Recycling**

Number of Counties with active programs.....	76
Total weight collected.....	424,650

**PESTICIDE DISPOSAL ASSISTANCE PROGRAM**

Containers .....	13,169
Drums .....	17
Pounds.....	135,368

**OUTREACH**

Fairs and/or Trade Shows .....	12
Presentations at Recertification Classes.....	225