

## FOREWORD

The 2001 edition of the *North Carolina Pesticide Report* represents a revision of previous issues. By elaborating on the purpose of this report, by adding new material, and by better defining the substances listed, we attempted to reflect in a more meaningful manner, the information collected during the 2001 calendar year. We hope that more readers will be able to use it effectively.

This will acknowledge and express our appreciation to the following people who made significant contributions to the contents and preparation of this *Pesticide Report*:  
**Pesticide Section** - Margaret D. Broome, Betty H. Griffin, Eleanor F. Lipscomb, Sharon L. Pulley and Laura L. Stover, *Processing Assistant III's*; Jan L. Culbreth, Amy D. Disbennett, Sandi H. Cummings and Ann Vaughn, *Office Assistant IV's*; Amy P. Bissette and Jamie Frye, *Administrative Secretary III's*; Lorrie C. Gay and Michael V. Williams, *Information Processing Technicians*; Flo S. Lamphier, *Administrative Officer I*; James W. Burnette, Jr., *Pesticide Administrator*; Julie A. Haigler and Sharron A. Stewart, *Deputy Pesticide Administrators*; John E. Hunter, III, *Regulatory Liaison*; L. Lee Davis, *Registration Manager*; Dr. Colleen M. Hudak, *Certification, Licensing & Outreach Manager*; J. Patrick Jones, *Field Operations Manager*; Dr. Henry F. Wade, *Environmental Quality Manager*; Robert M. Welker, *Quality Assurance Officer*; Peyam Barghassa, *Bilingual Pesticide Specialist*; Kay G. Harris, *Worker Protection Specialist*; Judith H. Card, Michael A. Mitchell and Carolyn M. Thompson, *Pesticide Specialists*; John B. Dalley and Dwight E. Seal, *District Managers*; James C. Bristow, Jr., Charles L. Clark, Benny C. Griffin, Hoyt M. Haddock, Gwen T. Minton, W. Howard Minton and James T. Perry, *Pesticide Inspector II's*; Thomas C. Bowman, Jr., W. Kenneth Crabtree, M. Timm Dazey, Jr., W. Barry Dunn, Forrest Sue Egelston-Moncada, N. Patrick Farquahar, Steven F. Gatton, J. Michael Jackson, Terry L. Leatherwood, R. Steve Taylor, D. Wayne Tyer, Paul H. Ward, III and Kenneth E. Warren, *Pesticide Inspector I's*; **Food and Drug Protection Division** - E. Bruce Williams, *Director*; Dr. Joel M. Padmore, *State Chemist*; George Hernandez, *LAN Administrator*; Dr. Royden Saah, *Chief Microbiologist*; Martha Bray and Dawn Davis, *Microbiologists*; Ralph L. Denning, *Supervisor Pesticide Laboratory*; John W. Duncan, R. Vern Park, Stefanie A. Raysich, Ronnie E. Rollins, and Frankie G. Worsham, *Chemists*; Coy T. Bowling, *Research Guide*.

# 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 2001* fulfills this mandate. Considerable time and effort have gone into editing and organizing this 2001 edition which summarizes regulatory activities performed under the N.C. Pesticide Law of 1971. Every section has been updated, and new information has been added in order to make the *Pesticide Report for 2001* a useful reference. 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 and Consumer Services that perform key roles in regulating and controlling the sale and use of pesticides in this State.

## **Brief of the North Carolina Pesticide Law of 1971 (As Amended through 1998)**

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.

## **North Carolina 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 held during 2001 is given.

## **Pesticide Environmental Trust Fund**

In this section, a summary of the Pesticide Environmental Trust Fund's financial transactions for 2001 is presented. Balances, receipts, expenditures, refunds, and cumulative (1993-2001) figures are given.

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

A map summarizes the pesticide disposal and container recycling activities performed in North Carolina during 2001.

## **Licensed Pesticide Ground Applicators, 2001**

This section is a directory of the names and counties of ground pesticide applicators licensed in 2001.

## **Licensed Pest Control Consultants, 2001**

This section is a directory of the names and counties of pest control consultants licensed in 2001.

## **Licensed Pesticide Public Operators, 2001**

This section is a directory of the names and counties of public operators licensed in 2001 to apply pesticides for municipal, county, state, and/or federal governments.

## **Licensed Pesticide Dealers, 2001**

This section is a directory of the names and counties of pesticide dealers licensed in 2001.

## **Licensed Pesticide Aerial Applicators, 2001**

This section is a directory of the names and counties of aerial pesticide applicators licensed in 2001.

***NOTE.** Individually requested and tailored lists of dealers, applicators, consultants or registrants are available by contacting the Pesticide Section at (919) 733-3556. A nominal printing charge may apply.*

## **Definitions Adopted**

This section explains definitions that were adopted for reporting the analytical results of pesticides sampled by pesticide inspectors throughout the state 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 2001.

## **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, defoliant, 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 \$30.00 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 \$30.00 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 Food and Drug Protection 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

Commissioner of Agriculture

North Carolina Pesticide Advisory Committee

Governing Body

Administrative and Enforcement

Assists the Board and Commissioner in an advisory capacity

Restricted Use Pesticides

Private Applicator Certification Requirement

Pesticide Dealer Licensing Requirement

Pesticide Applicator Licensing Requirement

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.)

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 \$6 for a three-year certification.

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 \$30. 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 \$30 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.

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 \$30 for each applicator's license and an additional \$10 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:

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 \$30. 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 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.

Handling, Storage, and Disposal of Pesticides

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.

Registration

A registration fee of \$30 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.

Registration Fee and Delinquent Penalty

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.

Pesticide Environmental Trust Fund Assessment

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

Refusal or Cancellation of Registration

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."

"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.

Civil Penalties

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.

Other Penalties

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.

**NOTE: Copies of the North Carolina Pesticide Law of 1971, as amended through 1998, may be obtained upon request to the Pesticide Section, North Carolina Department of Agriculture & Consumer Services, P.O. Box 27647, Raleigh, North Carolina 27611. 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/fooddrug/pesticid](http://www.ncagr.com/fooddrug/pesticid)**

# 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. The members represent different sectors of the regulated public.

The Board adopts rules and regulations and makes policies for the programs outlined in the NC 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, 2001**

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(N.C. General Statute §143-436)

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. Robert E. Cook**, Raleigh, NC  
Representing the N.C. Department of Environment and Natural Resources

**Mr. Carl E. Falco**, Raleigh, NC  
Representing the N.C. Department of Agriculture and Consumer Services

**Dr. Ricky L. Langley**, Raleigh, NC  
Representing the State Health Director

A representative of the agricultural chemical industry.

**Dr. Robert Earl Ogle**, Raleigh, NC

A person directly engaged in agricultural production.

\* **Mr. M. Scott Whitford**, Grantsboro, NC

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

\*\* **Mr. Charles L. Keels**, Cary, NC

**Dr. W. Benson Kirkman**, Raleigh, NC (nongovernmental conservationist)

\* Chairman

\*\* Vice Chairman

Secretary, James W. Burnette, Jr.

# North Carolina Pesticide Board Meetings

## February 13, 2001

Mr. Jerry Moody, Agricultural Extension Agent for Avery County, presented a Pesticide Environmental Trust Fund (PETF) proposal to design a closed system applicator for Di-Syston, an insecticide commonly used in the production of Christmas trees in North Carolina. The total amount requested from the PETF was \$14,000. Following discussion, the Board approved funding for the project.

Dr. Sara Quandt, Associate Professor at Wake Forest University School of Medicine, presented the proposed PETF project, "Farmworker Pesticide Safety in North Carolina: An Educational Video." The objective of the project is to develop and produce a pesticide safety video for Latino farmworkers in North Carolina. The total amount requested from the PETF was \$68,331. Following discussion, the Board approved funding for the project.

Ms. Diane Stevens, Assistant Attorney General, presented settlement agreements for the Board's consideration.

## March 13, 2001

Dr. Wayne Buhler, Pesticide Education Specialist at North Carolina State University, invited the Board to attend the Southern Region Pesticide Safety Education Center during the March 19-21 training at the Jane S. McKimmon Center.

Dr. Colleen Hudak, Licensing, Certification and Outreach Manager, presented the Pesticide Container Recycling Program for 2001. Funding in the amount of \$86,125 was requested from the PETF. Following discussion, the Board approved funding for this program.

Mr. Thomas G. Meacham, Jr., Assistant Attorney General, presented settlement agreements for the Board's consideration.

A public hearing regarding proposed changes to the rules governing certification and recertification of private pesticide applicators was held following the meeting.

## May 8, 2001

Ms. Julie Haigler, Deputy Pesticide Administrator of Management Programs, informed the Board that North Carolina State University has agreed to an indirect cost rate of 15% applied to the total direct costs of projects funded by the North Carolina Pesticide Board via the PETF.

Ms. Barbara Vick of Chapel Hill, a health care professional in the area of dentistry, expressed concerns regarding the usage of chemical disinfectants in health care settings and the measures in place that legally protect the public to insure that all safety measures including proper mixing according to label instructions are being followed. Following discussion, it was the consensus of the Board, that a letter be sent to EPA voicing concerns on this issue as well as to the N.C. Hospital Association and appropriate state licensing boards.

Dr. Colleen Hudak, Licensing, Certification and Outreach Manager, presented the 2000 Annual Report for the Pesticide Environmental Trust Fund.

Dr. Wayne Buhler, Pesticide Education Specialist at North Carolina State University, presented a summary of the first workshops of the Southern Region Pesticide Safety Education Center (SR-PSEC), a program funded by the PETF. Dr. Buhler also presented a preliminary budget request for continuation of the SR-PSEC from November 2001 through November 2002. Following discussion, funding in the amount of \$99,373 was approved.

Ms. Caroline Whitehead Doherty, MSW MPH and Director of the NC Farmworker Health Program presented a PETF proposal, "Pesticide Environmental Risk Reduction in Farmworkers: A Demonstration Project Using AmeriCorps WPS Trainers in Primary Health Care Facilities." The proposal requested \$15,000 from the PETF. Following discussion, PETF funding was approved for the project as requested.

Mr. Billy George, Right of Way Supervisor, Electric Transmission, Duke Energy Company, presented the Board with a handout describing Duke's proposed aerial herbicide applications to be conducted in North Carolina during 2001.

Ms. Julie Haigler summarized comments received in connection with the three recently held public hearings to consider revisions to the Board's regulations on certification and recertification of private pesticide applicators. Following discussion, the Board voted on a proposal to grandfather in all currently certified private pesticide applicators; to require applicants for initial private pesticide applicator certification to pass a comprehensive written examination; and to require an additional two continuing certification credit hours for private pesticide applicator recertification. The motion carried six to one.

Ms. Diane Stevens, Assistant Attorney General, presented settlement agreements for the Board's consideration.

### **July 10, 2001**

Dr. Harry Daniels of N.C. State University presented a FIFRA Section 18 exemption request for the use of Drexel Diuron 80-Herbicide to control algae responsible for the production of an off-flavor compound in commercial farm raised channel catfish in North Carolina. Following the presentation, the Board voted to authorize NCDA&CS to proceed with requesting this proposed Section 18 exemption from EPA.

Dr. Mohammed J. Ibrahim of N.C. A&T State University presented the final report on the PETF project "Environmental Intervention Programs for Small Scale and Limited Resource Farmers."

Dr. Mike Linker of N.C. State University presented an interim report on the PETF-sponsored project "Implementing Integrated Pest Management in School Buildings."

Dr. Darrell Sumner of Wake Forest University School of Medicine presented an interim report on the PETF funded project "Preventing Pediatric Pesticide Poisonings." Dr. Sumner introduced Mr. Roger Friedensen and Ms. McGavock Edwards of Epley Associates, who described the media coverage that their public relations firm had conducted thus far as well as upcoming media events for the project. Dr. Anna Rouse of the Carolinas Poison Control Center thanked the Board for its support of this project.

Ms. Diane Stevens, Assistant Attorney General, presented settlement agreements for the Board's consideration.

### **September 11, 2001**

Chairman Scott Whitford expressed his great concern regarding the apparent attacks upon the World Trade Center in New York City and the U.S. Pentagon in Washington, DC.

Ms. Diane Stevens, Assistant Attorney General, presented settlement agreements for the Board's consideration.

### **October 2, 2001**

Ms. Diane Stevens, Assistant Attorney General, presented settlement agreements for the Board's consideration.

Mr. James Burnette, Jr., Pesticide Administrator, presented to the Board for its consideration a proposed emergency rule to require all licensed pesticide dealers to maintain a record of all sales of restricted use pesticides. Mr. Tom Hunt, Executive Director of the Crop Protection Association of North Carolina, acknowledged his support for this emergency rule. Mr. Glenn Jernigan of Glenn Jernigan & Associates, Governmental Affairs Consultants, also spoke in support of the rule. The Board unanimously adopted the proposed rule.

### **November 13, 2001**

Dr. Alan York, Chairman of the Pesticide Advisory Committee (PAC), presented the PAC's recommendations on changes to the aerial regulations as regards permissible residue levels in restricted areas. Dr. York also commented on slightly different residue levels developed by Dr. Lunchick. Dr. Lunchick briefly discussed how he arrived at these levels. Following further discussion, the Board voted to proceed with the public hearing process on this proposal.

Ms. Diane Stevens, Assistant Attorney General, presented settlement agreements for the Board's consideration.

# The North Carolina Pesticide Advisory Committee

The North Carolina Pesticide Law of 1971 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. The Advisory Committee is composed of three practicing farmers, one conservationist (at-large), one ecologist (at-large), one pesticide industry representative, one agribusiness representative (at-large), one local health director, three members of the North Carolina State University College of Agriculture and Life Sciences, one member from the North Carolina Department of Agriculture & Consumer Services, one member from the North Carolina Department of Environment and Natural Resources, the State Health Director, one representative of a public utility or railroad which uses pesticides, one member from the Board of Transportation, one member from the North Carolina Aviation Association, one member of the general public (at-large), one member actively engaging in forest pest management, and one member representing the Division of Solid Waste Management of the Department of Environment and Natural Resources. Members of the committee serve at the pleasure of the Board.

## MEMBERS OF THE N.C. PESTICIDE ADVISORY COMMITTEE, 2001

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(N.C. General Statute §143-439)

Three practicing farmers

**\*\*Mr. Charles P. Francis**, Waynesville, NC [Note. Mr. Francis is deceased as of March 20, 2001.]

**\*\*Mr. Marshall W. Grant**, Garysburg, NC

**\*\*Mr. Darryl K. Corriher**, China Grove, NC

One conservationist (at large)

**\*\*Mr. John Paul Lilly**, Plymouth, NC

One ecologist (at large)

**\*\*Dr. Thomas R. Wentworth**, Department of Botany, N.C. State University, Raleigh, NC

One representative of the pesticide industry

**\*\*Mr. Rolf Jesinger**, Apex, NC

One representative of agri-business (at large)

**\*\*Mr. Charles G. Rock**, Greensboro, NC

One local health director

**\*\*Ms. Jenny P. Lassiter**, Pamlico County Health Department, Bayboro, NC

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. Peter T. Bromley**, Department of Zoology, N.C. State University, Raleigh, NC

**\*Dr. P. Sterling Southern**, Department of Entomology, N.C. State University, Raleigh, NC

**\*Dr. Alan C. York**, Department of Crop Science, N.C. State University, Raleigh, NC

One member representing the North Carolina Department of Agriculture & Consumer Services ;  
one member representing the North Carolina Department of Environment & Natural Resources ;  
the State Health Director or his designee

\***Mr. James W. Burnette, Jr.**, N.C. Department of Agriculture & Consumer Services, Raleigh, NC

\***Mr. Arthur Mouberry**, N.C. Department of Environment & Natural Resources, Raleigh, NC

\***Mr. Ronald J. Howell**, N.C. Department of Health & Human Services, Raleigh, NC

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

\*\***Mr. Joseph A. Gregory**, Carolina Power & Light Company, Raleigh, NC

One representative of the Board of Transportation

\***Mr. William D. Johnson**, N.C. Department of Transportation, Raleigh, NC

One member of the North Carolina Agricultural Aviation Association

\*\***Mr. M. Boyd Respass**, Dreamstreet Aviation, Inc., Washington, NC

One member of the general public (at large)

\*\***Ms. Wanda P. Winslow**, Asheville, NC

One member actively engaged in forest pest management

\*\***Mr. Coleman A. Doggett**, Cary, NC

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

\***Mr. William R. "Bill" Hocutt**, N.C. Department of Environment & Natural Resources, Raleigh, NC

\* Agency appointments

\*\* Appointed by Board

Chairman, Dr. Alan C. York  
Vice-Chairman, Marshall W. Grant  
Secretary, James W. Burnette, Jr.

# PESTICIDE ENVIRONMENTAL TRUST FUND

Throughout 2001, 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 2001

NCDA&CS collected \$400,990.00 in environmental assessment fees from the registration of approximately 12,480 pesticide brands during 2001. Fifty-four percent of the receipts were for products with reported annual North Carolina gross sales of less than \$5,000, and forty-six 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 2001

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, 2001, there was a balance of \$228,680.00 in Account No. 6136 and a balance of \$69,982.18 in Account No. 6137 (i.e., the Pesticide Environmental Trust Fund). The total amount in both accounts as of December 31, 2001 was \$298,662.18.

## EXPENDITURES FOR 2001

During 2001, NCDA&CS expended a total of \$527,234.40 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) 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 was used to support the agromedicine information specialist position in NCSU's Environmental & Molecular Toxicology Department. NC A&T State University was also given monetary support for its agromedicine program based on a resolution passed by the N.C. Pesticide Board on September 20, 1999. The aggregate amount of PETF funds spent on agromedicine during 2001 was \$113,915.02.

The remaining \$413,319.38 was spent on pesticide container recycling and six environmental projects:

1. Six counties (Alleghany, Beaufort, Durham, Edgecombe, Vance, and Wilson) received a total of \$37,549.75 from the PETF to support local recycling of plastic pesticide containers during 2001. In addition, \$7,105.53 was spent on promotional materials for the state's pesticide container recycling program. The total amount spent on the state's pesticide container recycling program for 2001 was \$44,655.28.
2. \$68,331.00 for WPS Spanish Training Video -Dr. Tom Arcury, Wake Forest University School of Medicine
3. \$75,000.00 (second installment of two) for Preventing Pediatric Poisonings Project - Dr. Darrell Sumner, Wake Forest University School of Medicine
4. \$14,000.00 for Development of a Closed System Applicator for Di-Syston – Jerrold T. Moody, Avery County CES
5. \$47,572.10 (second installment of two) for Human Metabolism of Pesticides – Dr. Ernest Hodgson, N.C. State University
6. \$49,388.00 (third installment of three) for IPM in School Buildings – Dr. Mike Linker, N.C. State University
7. \$99,373.00 (one time award) for the Southern Regional Pesticide Safety Education Center -Dr. Wayne Buhler, N.C. State University

## **REFUNDS FOR 2001**

Refunds in the amount of \$1,677.08 were received during 2001 as follows:

1. \$793.10 – from Sampson County (for balance of recycling grant)
2. \$814.04 – from Pesticide Drift Reduction Project, Dr. Sterling Southern and R. Ernest Hewett, III.
3. 69.94 – from Currituck County (for balance of recycling grant)

## **CUMULATIVE PETF FIGURES (1993-2001)**

As of December 31, 2001, a total of \$3,270,475.00 in receipts has been collected since the inception of the PETF.

Since 1993, PETF has provided a total of \$785,016.92 for support of agromedicine in North Carolina

Expenditures for pesticide environmental programs between 1995 and 2001 have totaled \$2,236,673.59.

## **Plastic Pesticide Container Recycling Program**

In 2001, \$37,549 in Pesticide Environmental Trust Fund (PETF) money was awarded to six counties (Alleghany, Beaufort, Durham, Edgecombe, Vance, and Wilson) to expand already existing recycling programs. Eighty-one counties had recycling programs during 2001. U.S. Ag Recycling, Inc., which is the Agricultural Container Recycling Council (ACRC) approved recycler in North Carolina, reported that more than 288,000 pounds of plastic pesticide containers were recycled for the calendar year (2001), making North Carolina one of the leading states in pesticide container recycling. North Carolina ranked 6th in pounds of containers recycled in the 25 state region serviced by U.S. Ag. Recycling. North Carolina's rejection rate for improperly rinsed containers was only 3%.

During the fall of 2001, Pesticide Inspector II's 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. Annual county reports were requested from all participating counties in December 2001. A financial audit of all county-awarded PETF recycling grants was also performed. During 2001, the Pesticide Section distributed a variety of items (flyswatters, neon pencils, stickup calendars, magnifying rulers, and 2-quart calibration cups) to promote the state's recycling of plastic pesticide containers. These items were also shared with the local recycling programs across the state.

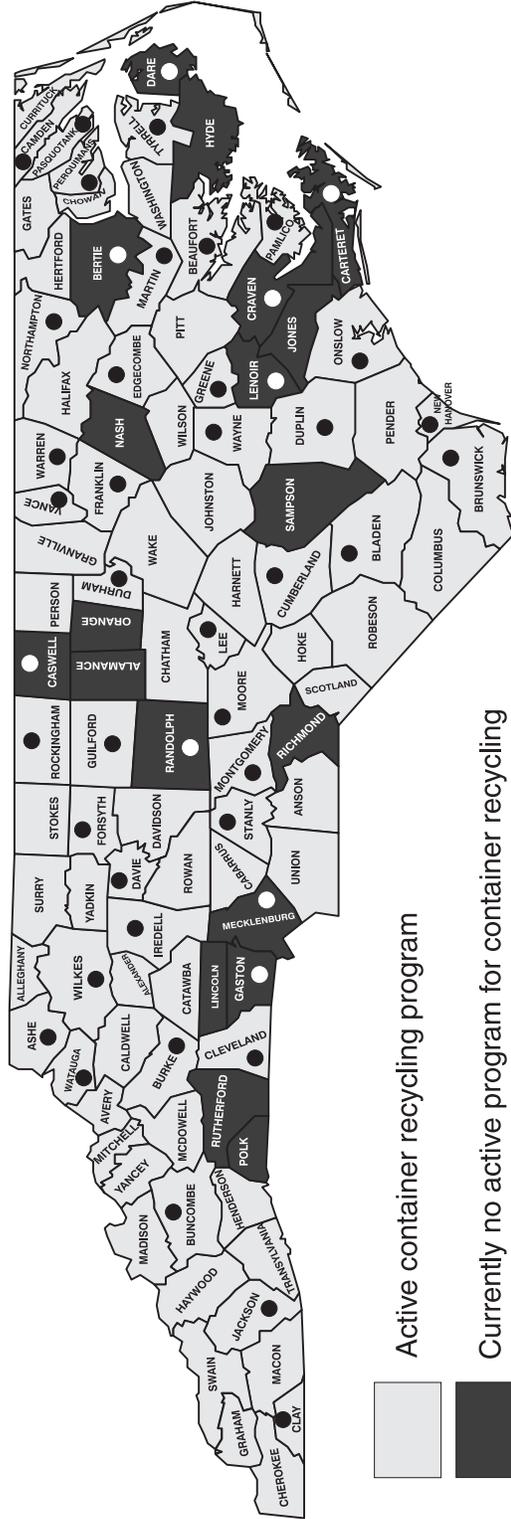
A new county award for pesticide container recycling was established in 2001 in honor of the Pesticide Section's former Pesticide Administrator, John Smith, who was instrumental in creation of the PETF recycling grants program for N.C. counties. A committee of 14 judges discussed and voted on the nominations that were submitted. Overall program effectiveness, convenience, and sustainability were considered in determining the winning counties. Pasquotank County received first place honors while Alleghany County was chosen as the second place winner. Monetary awards (\$3,000 and \$2,000, respectively) were given to each county to be spent towards furthering plastic pesticide container recycling.

## **Pesticide Disposal Assistance Program**

In 1976, the North Carolina Pesticide Board adopted regulations governing the disposal of pesticides. These regulations make it illegal in North Carolina to dispose of any hazardous waste, including pesticides, in sanitary landfills. In 1980, the North Carolina Department of Agriculture & Consumer Services created the Pesticide Disposal Assistance Program to provide the public a legal, free-of-charge, environmentally acceptable mechanism to dispose of unwanted or unusable pesticides. The Pesticide Disposal Program is contained within the Food and Drug Protection Division, but is not a regulatory part of the Pesticide Section.

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 2001, the Pesticide Disposal Assistance Program supervised the collection and disposal of 112,405 pounds of pesticide waste. A total of 35 single day disposal events were organized by NCDA&CS during 2001. NCDA&CS also assisted 12 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.

# Summary of 2001 Container Recycling and Pesticide Disposal Activities



\* Pounds of pesticides collected for disposal: 112,405

\* Pounds of pesticide containers collected for recycling: 288,146

●/◻ Counties that hosted pesticide disposal events