



PESTICIDE *Update*

Vol. XIX - No. 1

Pesticide Section / Food & Drug Protection Division
<http://www.ncagr.com/fooddrug/pesticid/index.htm>

Spring 2001

Let's Make Crop Year 2001 Safer!

The North Carolina Institute for Health and Safety in Agriculture, Forestry, and Fisheries

By Dr. Byron Burlingham

Farming is one of the oldest and most important occupations in America. Our farms provide the essential food and fiber for our society, and also contribute to our economy, exports, and balance of payments. However, farming is the secondmost hazardous occupation in America. In North Carolina, farm-related incidents resulted in 26 deaths in 1999, including 4 children under the age of 15. The number of deaths was down from 29 in 1998 and 41 in 1997. About 2000 of our farm workers have a finger, arm, or leg amputated each year. Medical

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treatment for N.C. farming-related injuries costs \$195 million each year. In rural North Carolina, farming-related injuries and illness are the fourth leading cause of illness, surpassed only by heart disease, stroke, and cancer. Since 61% of N.C. farm injuries occur during fieldwork and crop handling, N.C. farmers need to be especially alert during this new crop year.

Relative to many other states, N.C. has a lower injury rate among its farmers. The National Institute for Occupational Safety and Health (NIOSH) and Centers for Disease Control (CDC)

(See *Crop Year 2001 Safer!* continued, Page 3)

Inside

- *Pesticide Inspectors Stop Sale Arsenic Trioxide Ant Baits*
- *Pesticide Advisory Committee Discusses Aerial Regs*
- *Applicators Win Pressure Rinse Nozzles*
- *Record-Keeping Manuals Available for Private Pesticide Applicators*
- *Pesticide Section Conducts Hearings on Rule Changes*
- *Barber Orchard: What Went Wrong?*
- *Unforgivable Mistakes*
- *Environmental Risk Reduction through Education & Safety Training*
- *NCPB Actions*
- *"Stop Childhood Poisonings...Because You Can"*
- *Medical School to Produce WPS Video for Spanish Speaking Workers*

Christmas Tree Growers Hope to Save Di-Syston through PETF Grant

By Colleen Hudak, Certification, Licensing & Outreach Manager

Mr. Jerry Moody, an Avery County Cooperative Extension agent, recently accepted a \$14,000 check from the Department's Pesticide Environmental Trust Fund. Commissioner Meg Scott Phipps presented the check to Mr. Moody in Raleigh on March 30. Avery County will use the money to support development of a closed system applicator for Di-Syston 15-G (disulfoton), a granular pesticide that is vital to North Carolina's Christmas tree industry. This product is used to control the balsam twig aphid and the spruce spider mite, two pests of Fraser Fir Christmas trees. The U.S. EPA is currently reviewing the reregistration of Di-Syston 15-G under the Food Quality Protection Act (FQPA) of 1996. If concerns regarding human exposure are not addressed, this product may be in danger of cancellation. The project is being backed by a broad group of supporters, including the North Carolina Christmas Tree Growers Association, various county grower associations, the NCDA&CS-Pesticide Section, the N.C. Cooperative Extension Service, and Bayer Chemical Company.



Commissioner Phipps Presenting Check to Jerry Moody

Pesticide Inspectors Stop Sale Arsenic Trioxide Ant Baits

By Michael A. Mitchell, Pesticide Operations Specialist

In recent months, NCDA & CS Pesticide Inspectors have increasingly encountered a pesticide called *Grants Kills Ants* in home improvement, lawn and garden, and super-center stores. This product, which is an ant bait, contains 0.46% arsenic trioxide as its active ingredient. According to regulations passed under the N.C. Pesticide Law of 1971, all products containing arsenic trioxide are classified as "Restricted Use Products" (RUPs) and can only be purchased and/or used in or around homes by trained, licensed pesticide applicators. Furthermore, only licensed pesticide dealers can legally sell these products. As a result of these requirements, pesticide inspectors are placing these *Grants Kills Ants* products under Stop Sale Orders when they find them in home improvement, lawn and garden, and super-center type stores. [Please note. These restrictions do not apply to numerous other *Grants Kills Ants*

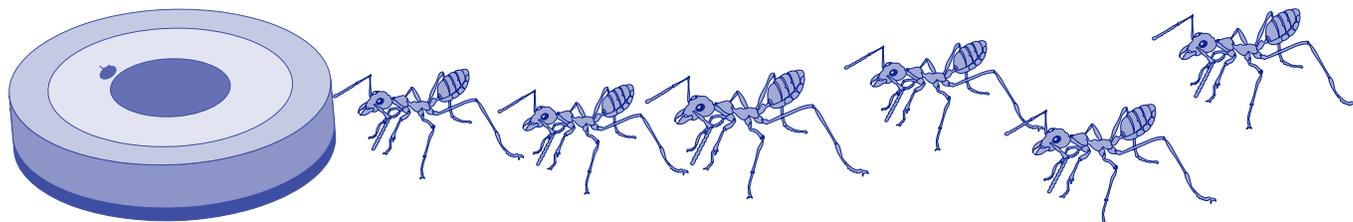
products that do not contain arsenic trioxide.]

The designation of arsenic trioxide products as RUPs can be traced to actions taken by the N.C. Pesticide Board in 1977. That was the year when the use and storage of these products by the general public were first prohibited inside, or in the immediate vicinity of, buildings used as human dwellings. This action was taken due to arsenic trioxide's toxicity to humans and a pattern of it being used to commit homicides in North Carolina. Arsenic trioxide is the only state restricted-use product in North Carolina.

In March of 1999, Grant Laboratories, Inc., petitioned the N.C. Pesticide Board to adopt rules to exempt *Grants Kills Ants* from the state's list of RUPs and to end restrictions on its use and storage. As a result of this petition, and pursuant to the Administrative Procedures Act, the N.C. Pesticide Board scheduled a public hearing for August 10, 1999. Additionally,

on November 9, 1999, the N.C. Pesticide Board heard a risk assessment of child exposure to arsenic trioxide from ant bait by the N.C. Department of Health and Human Services', Division of Public Health, Occupational and Environmental Epidemiology Branch. After considering the toxicological assessment and listening to a rebuttal from Grant Laboratories, Inc., the N.C. Pesticide Board, decided not to grant Grant Laboratories, Inc. the requested exemption even though this pesticide is currently sold in 47 states as a general use product.

As a result of the N.C. Pesticide Board's denial for exemption, those ant baits made by *Grants Kills Ants* that contain arsenic trioxide may still only be sold by licensed pesticide dealers to licensed pesticide applicators. The Pesticide Section enforcement staff will continue to monitor the marketplace for violations.



Pesticide Advisory Committee Discusses Aerial Regs

The N.C. Pesticide Advisory Committee (PAC) is expected to recommend changes to rules governing the aerial (by aircraft) application of pesticides in North Carolina. On January 18 and March 7, 2001, members of a subcommittee of the PAC met to consider a petition for rulemaking submitted by a Sampson county aerial applicator. Recommendations were forwarded to the full PAC for discussion on April 5, 2001. The PAC plans to recommend to the N.C. Pesticide Board that aerial application be allowed within 100 feet of a residence if all inhabitants of legal age residing in the dwelling give written consent. Other recommendations are to reduce the restricted area around businesses, to change the road right-of-way restricted area to the maintained right-of-way, and to allow minimal residues in non-target areas. The N.C. Pesticide Board will discuss these recommendations at a future meeting and decide whether to proceed through the rulemaking process, which may include public hearings.



Year 2001 Safer! (continued)

Continued from page 1

have surveyed farm-related injuries that required medical attention. Table 1 shows the results for North Carolina and other key agricultural states. North Carolina, with 3.7 injuries per 100 worker-years, has less injury than many other states, and our rate is below the national rate of 5.5 for all hired workers. Farm injuries in North Carolina, however, tend to be more severe than those reported for all hired US farmworkers. Nationally, 9.4 work-days are lost per injury, but N.C. farm workers average 14.5 work-days lost per injury.

This NIOSH/CDC survey also identified the farm activities that lead to these injuries. Table 2 compares some of the causal factors on N.C. farms with other U.S. farms. The N.C. pattern is quite distinctive from the national pattern. Nationally, livestock are the leading cause of farm injury. Most of these injuries occur in dairy, beef, and horse operations. Since North Carolina's livestock operations are primarily hog and poultry, we have many fewer livestock injuries.

In North Carolina, harvest equipment is the leading cause of farm injury. Most N.C. crop harvest operations involve small fields with a very labor intensive harvest process, frequently using many workers per machine. Further, many N.C. fields are double cropped each year, thus doubling the exposure to harvest risk each year. But clearly, improving the safety of our harvest operations will lead to the greatest prevention of farm injury.

Our tractor-associated injuries are very high. Power take off shafts are dangerous and nearly every farmer has been injured or has had a near-miss one or more times. Nationally, tractor roll-overs are the number-one cause of farm deaths. Our hilly fields and drainage ditches place N.C. tractor-drivers at high risk. Roll over protective structures (ROPS) and seat belts can eliminate this cause of death and injury. A national initiative is planned for state legislatures to enact laws requiring ROPS on all older tractors within the next few years. Installing ROPS on older tractors is the best life-saving investment you can make. Twenty of our 26 deaths in 1999 involved tractors or machinery.

Table 2 documents that the pesticides/chemicals injuries in N.C. are 7.5 times greater than the national average. In this survey, the pesticides/chemicals category includes all pesticides, fertilizers, petroleum products, solvents and other chemical type farm exposures. North Carolina crops usually have multiple applications of fertilizers and pesticides. Some crops like cotton may have ten or more applications. The pesticide/chemical data need to be divided by the number of applications to truly compare the relative risk for specific farm operations. Also, N.C. farmers are more likely to use restricted-use pesticides which often have greater health and safety consequences.

Dr. Marian Swinker of East Carolina University's School of Medicine and other collaborating researchers examined N.C. death certificates from 1985 to 1994 and found 30 deaths due to pesticides. Of these, 25 were intentional suicide or homicide, leaving only 5 deaths over the ten-year period that might be accidental deaths from pesticide use. Table 3 shows a second part of the study where hospital admissions were examined for diagnosis of pesticide poisoning. Again, intentional poisoning was the largest category.

Home-use pesticide poisonings of children and adults accounted for 45% of the hospitalizations. There were 34 occupational, agricultural poisonings in the four years of study, or an average of 8 to 9 cases per year. Of course, these hospitalized cases only represent the tip of the iceberg; there is no accounting of the symptomatic pesticide exposure cases that did not come to medical attention.

This quote from Carol Browner, Director of the USEPA for the Clinton administration, is amazing, especially since she was a vigorous opponent of pesticide use. But, the message is very clear; safety comes from following the label information. The label identifies the specific health risks, safety precautions and personal protective equipment, symptoms of exposure, and the emergency treatment for the pesticide. Pesticide manufacturers are striving to make labels more readable, with larger print, simplified language, and with health and safety precautions listed first. Labeling does change, so it is important

Table 1: Farm Injury Survey
NIOSH/CDC, 1993

Location	Injury Rate*	Total Work-Days Lost*	Work-Days Lost per Injury
All Hired US Workers	5.5	51.6	9.4
North Carolina	3.7	53.9	14.5
Virginia	5.4	165.2	30.6
Florida	4	56	14.0
California	6.3	94	14.9

*per 100 Worker-Years [200,000 hours worked]

Table 2: Cause of Lost-Time Farm Injuries
NIOSH/CDC, 1993

Activity	US%	NC%
Livestock	18.1	8.3
Harvest Equipment	17.2	21.1
Tools	15.0	12.6
Tractors	5.5	19.3
Work Surfaces	8.5	11.2
Pesticides/Chemicals	0.7	5.3

*per 100 Worker-Years [200,000 hours worked]

Table 3: Hospitalization for Pesticide-Caused Illness
North Carolina, 1990-1993.

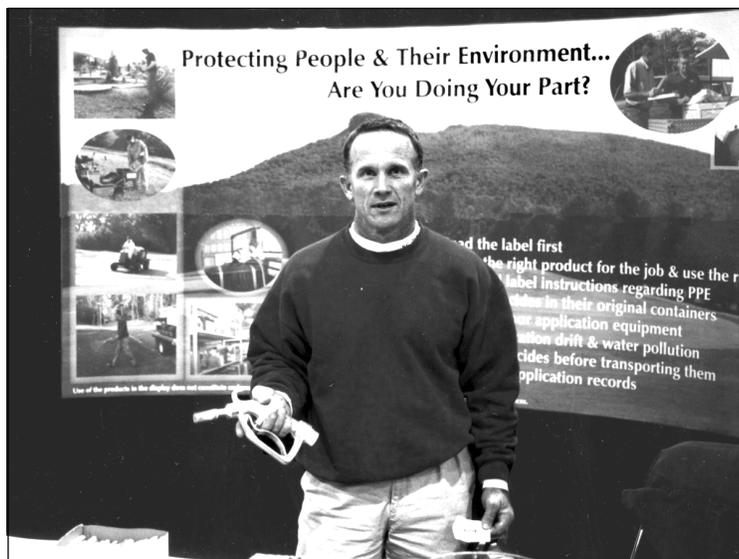
Category	Number	%Total
Intentional, Adult	97	36%
Accidental, Children	77	29%
Non-Intentional, Non-Occupational, Adult	43	16%
Occupational, Agricultural	34	13%
Occupational, Non-Agricultural	8	3%
Total	267	

Swinker, et al. North Carolina Medical Journal 60:77-82.

*"There has never been a documented case of injury or illness associated with proper application of pesticides."
Carol Browner, USEPA*

Applicators Win Pressure Rinse Nozzles

At the N.C. Turfgrass Conference & Trade Show held in Charlotte this past January, applicators licensed in the ornamentals and turf category were given an opportunity to win commercial-grade pressure rinse nozzles. Thirty nozzles were given to lucky winners who stopped by the NCDA&CS-Pesticide Section booth. Empty plastic pesticide containers must be either cleaned with a pressure rinse nozzle or triple rinsed before they are taken to a recycling site. Seventy-nine North Carolina counties now have active pesticide container recycling programs thanks to seed money offered through the Pesticide Environmental Trust Fund. For information on the local recycling programs in your area, please visit the Pesticide Section's website at www.ncagr.com/fooddrug/pesticid.



Mr. Lyn Fawcett (standing in front of the Pesticide Section's booth), superintendent of the Roaring Gap Golf Club of Roaring Gap, N.C., is shown holding a pressure rinse nozzle that he won at the N.C. Turfgrass Conference this past January.

Year 2001 Safer! (continued)

Continued from page 3



to read the health, safety, and usage information on the label with each use.

Since farm-related injury and illness are so common, reducing these incidents is very important in improving the health and welfare of our rural citizens. Every farm injury is preventable. Every farm operator must contribute to the prevention of farm-related injury and illness to reduce our State's death, injury and illness rates. We need to emphasize pesticide safety practices in North Carolina. Read and follow the label information for a safer 2001 crop year. When planning your pesticide purchases, consider the health hazards as one of the criteria, along with cost and target pest. Farm operators and workers must actively control and avoid the hazardous operations that will occur in this new crop year. Each farm needs to make an additional effort to continue our record of improvement and to make North Carolina's 2001 crop year the safest and best ever!

Pesticide Section Conducts Hearings on Rule Changes

By Julie Haigler, Deputy Administrator, Pesticide Management Programs

The NCDA&CS-Pesticide Section conducted a series of public hearings during March to receive comment on proposed rule changes involving the certification and recertification of private pesticide applicators (farmers). The meetings were held in Greenville on March 5, in Raleigh on March 13, and in Newton on March 26.

The rule changes were proposed by the North Carolina Pesticide Board, based upon the advice of the nineteen-member North Carolina Pesticide Advisory Committee. The N.C. Advisory Committee is composed of stakeholders in pesticide related issues, including representatives from the N.C. Department of Environment and Natural Resources. The N.C. Pesticide Board is a seven-member board appointed by the Governor.

The proposed changes would require

- (1. testing for initial private pesticide

applicator certification,

- (2. an additional two hours of credit for private pesticide applicator recertification, making a total of four hours of training required every three years, and
- (3. testing of all currently certified private pesticide applicators.

Under the present system, most farmers become initially certified by attending a four-hour training session offered by the North Carolina Cooperative Extension Service. After the session, they sign a form attesting to the fact that they are producers of an agricultural commodity and then send the form together with a six-dollar fee to the NCDA&CS-Pesticide Section in exchange for a certification card. Another training option is completion of a workbook. Farmers must read and answer the questions posed within the

workbook. Once completed, the attestation form is signed and the fee submitted, as before. A third, though rarely used, option is passing a written exam.

Comment at all three public hearings was similar. Most farmers do not want to take an exam if they are currently certified. The other proposed changes (testing for initial certification and an addition of two hours of recertification training) met with little opposition. All comments at the public hearings were recorded and forwarded to the Pesticide Board. Individuals who have been unable to attend the public meetings are invited to write or call with their comments so that these can be included in the public record. To call in comments, please call (919)733-3556 and ask for Jim Burnette. To write in comments, the address is James W. Burnette, Jr., Pesticide Board Secretary, 2109 Blue Ridge Road, Raleigh, NC 27607.

Barber Orchard: What Went Wrong?

Due to increasing land prices and decreasing commodity profits in western North Carolina, many farmers are choosing to sell their farms for residential or commercial development. It comes as no surprise to those who live in the area that farmland is often very attractive to those seeking home sites. This was the scenario that occurred in Haywood County in 1999, when the North Carolina Department of Agriculture and Consumer Services (NCDA&CS)-Pesticide Section became involved in an investigation into contaminated groundwater. The site in question was located in a subdivision situated on a former apple orchard known as the Barber Orchard.

From 1904 until the mid-1980's, Barber Orchard was a leader in the apple industry. At one time it was the largest single orchard tract east of the Mississippi River, covering almost 500 continuous acres. Due to the steep and rugged terrain within the orchard, pesticide applications were made using an underground delivery system. Hoses were connected to outlets throughout the orchard so that pesticides could be applied to apple trees.

Following a declining market and the harsh weather of the 1980's, the orchard was forced to close. The land was divided into small tracts and sold. Houses were soon built throughout the old orchard. In early 1999, a new resident to the community requested that the county health department sample her water and analyze it for pesticides after her children commented about the water "tasting funny." Other residents also began asking that the local health department sample their water. These water samples were later found to contain pesticide residues. At the same time, the NCDA&CS-Pesticide Section collected soil samples on the property that was previously part of the orchard. In addition, the North Carolina Department of Environment and Natural Resources-Groundwater Section became involved

By Charles Clark & Dwight Seal
Field Operations Unit



by analyzing water samples from other wells within the orchard. These samples primarily revealed the presence of chlorinated hydrocarbon pesticides. The compounds found were traditionally used in apple production during the 1940's - 1970's (DDT, BHC, endrin, and lead arsenate). Although these uses were legal at the time of application, since then the U.S. Environmental Protection Agency (USEPA) has cancelled most of them due to adverse effects on human health and the environment.

The USEPA declared the Barber Orchard a "Superfund Site," and cleanup began immediately. Residents were advised by state epidemiologists from the North Carolina Department of Health and Human Services not to use the water for cooking and to limit bathing times to ten minutes. In addition, parents were warned not to allow children to play in the soil. It is apparent that these advisories alarmed some people living in the development. Residents began re-requesting that their homes be connected to city water, but this was denied due to the high cost to the county.

Although NCDA&CS Pesticide Inspectors performed a thorough invest-

Children commented about the water "tasting funny"

(Barber Orchard: What Went Wrong continued, Page 10)

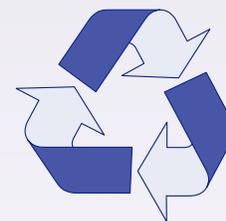
For more information about pesticides,
contact your local Cooperative Extension Service office.



PESTICIDE
Update

North Carolina
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Food & Drug Protection Division
Pesticide Section
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Pesticide Update is a quarterly report
of the Pesticide Section.



Please Recycle.

Pesticide Disposal Schedule for Spring 2001

PERMANENT COLLECTION SITES

To participate in collection at the sites listed below, you must be a resident of the county. Call for details and an appointment for drop-off.

ASHE COUNTY

Contact: SCOTT HURLEY
(336) 246-3721

BUNCOMBE COUNTY

(OPENING LATE 2001)
Contact: DENESE BALLEW
(828) 250-5425

CABARRUS COUNTY

(OPENING LATE 2001)
Contact: EILEEN BENSON
(704) 788-6877

CUMBERLAND COUNTY

Contact: CHARLES WHITTENTON
(910) 483-4897

FORSYTH COUNTY

Contact: MICHELE SAKWA
(336) 784-4300

GUILFORD COUNTY

Contact: DEBRA MEURS
(336) 373-2167

MADISON COUNTY

(OPENING LATE 2001)
Contact: JIM BROWN
(828) 649-2311

TRANSYLVANIA COUNTY

(OPENING LATE 2001)
Contact: WILL SAGER
(828) 884-5011

Unforgivable Mistakes

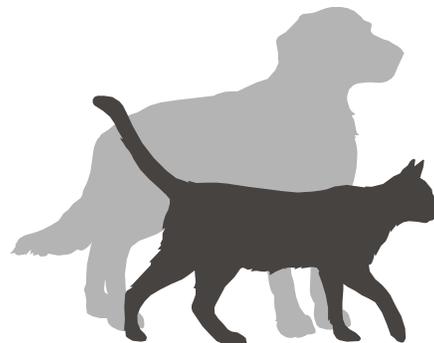
By Patricia Johnson (DWSA), North Carolina licensed pesticide applicator

Many years ago a domestic animal was something that stayed outside, given feed and water as needed, with an occasional pat on the head. Times have changed. We have very busy lives, with both husbands and wives working outside the home. Work obligations often require families to be separated for long periods of time. Also, more people are choosing to remain single. The need for companionship and the desire to nurture another living thing has led millions of Americans to own dogs and cats as surrogate children or "friends." These animals stay inside and are treated like special family members. When groomers who make pesticide applications meet these owners, they'd better know what they're doing. If you think for one moment that a client will have sympathy on you, when their 4-legged friend is having a reaction from the dip you applied, think again.

Owners of grooming and boarding kennels must take their responsibilities very seriously. You need to be knowledgeable regarding application of dips, the spraying of kennel runs, and how to protect your workers from overexposure to pesticides. When a client brings a healthy pet to you, they are expecting to pick it up healthy. Think about all the new products for flea and tick control. Even veterinarians find it challenging to remain knowledgeable about all the available control options. Not to have inquired about other chemical applications used on the pet prior to bathing could be your worst nightmare. Whether a fee is paid for the service or not, you are responsible if the animal gets sick!

At first it may be hard to understand why North Carolina law requires a groomer who applies a pesticide to an animal to become licensed. This

requirement was not adopted for the purpose of placing an undue burden on groomers nor to increase state revenues, but rather to protect the population at large. When a person looks at you with their sick or half-dead pet, how do you explain? Lying to them won't help. The owner will want to know why you didn't know better, as he entrusted his pet in your care.



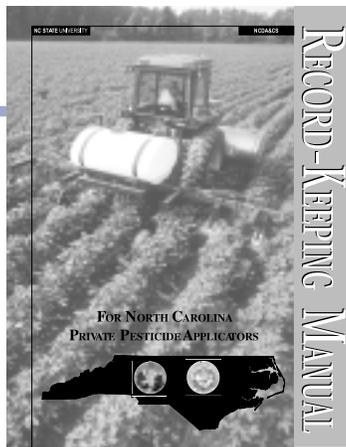
Instead of fighting the system, utilize it as I have. Become a licensed pesticide applicator and learn more about the proper application of pesticides to small animals. Education is the key. Ask questions, get answers, and let's work as a team to be professional and earn the respect of the general public. Display your pesticide license proudly. It is a symbol that you care about your clients, their pets, and your own employees.

[Editor's note. Ms. Johnson owns and operates a grooming and boarding kennel in Chatham County. She has written numerous articles on pet care and is a member of the Dog Writers Society of America (DWSA). If you have questions regarding the use of pesticides on small animals, please feel free to contact her by fax (919-663-0402) or by writing to her at P.O. Box 338, Siler City or 115 Poe Road, NC 27344. She will research appropriate questions so that we can feature them in upcoming issues of the *Pesticide Update*.]

Record-Keeping Manuals Available for Private Pesticide Applicators

The NCDA&CS-Pesticide Section has collaborated with N.C. State University in publishing a manual that private pesticide applicators can use to keep records required by federal and state law. Farmers must keep certain items of information related to the application of restricted-use pesticides and for compliance with the Worker Protection

Standard. Manuals are being distributed by pesticide inspectors at private applicator recertification meetings across the state. If you are a private applicator who has not yet received a manual but would like to, please call the NCDA&CS-Pesticide Section at 919-733-3556.



NCPB Actions

At the October and December 2000, and February and March 2001, meetings of the North Carolina Pesticide Board, the following settlement agreements, including license suspensions and monetary penalties totaling \$20,900.00, were approved for alleged violations of the NC Pesticide Law of 1971. Consent to the terms of the settlement agreement does not constitute an

J.D. Batts, Bunn, for the alleged violations of engaging in the business of a pesticide applicator without a pesticide applicator's license; for failure to pay the original or renewal license fee when and continued to operate as an applicator, or applied pesticides without a license; and for failure to have at least one person at the business location responsible for the application of pesticides for routine pest situations. Mr. Batts agreed to pay a monetary penalty.

Bonide Products Inc., Yorkville, New York, for the alleged violation of distributing, selling, or offering for sale an unregistered pesticide. Bonide Products Inc. agreed to pay a monetary penalty.

Terrell C. Boone, Jackson, for the alleged violations of using a pesticide in a manner inconsistent with its labeling; for applying pesticide under conditions where drift from particles or vapors result in adverse effect; and for operating in a faulty, careless, or negligent manner Mr. Boone agreed to a monetary payment.

Jeffery R. Briggs, Climax, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for providing or making available a restricted use pesticide to a person other than a licensed pesticide applicator and for gross negligence, incompetence or misconduct in acting as a pesticide dealer. Mr. Briggs agreed to a monetary payment.

William E. Burch, Fasion, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for operating in a faulty, careless, or negligent manner; for failing to post specific pesticide information as required; and for failing to provide or assure that employees had received pesticide safety training. Mr. Burch agreed to pay a monetary penalty.

William M. Cherkas, III, Morrisville, for the alleged violation of transporting, handling, storing, displaying, or distributing pesticides in a manner so as to endanger man and his environment or to endanger food, feed, or any other products that may be transported, stored, displayed, or distributed with pesticides; for storing combustible materials such as gasoline, kerosene or petroleum solvents, and as

an ignition source, waste paper, rags in a pesticide storage area and storing pesticides in unlabeled containers. Mr. Cherkas agreed to pay a monetary penalty.

Jimmie M. Greene, Spring Hope, for the alleged violation of using a pesticide in manner inconsistent with its labeling Mr. Greene agreed to pay a monetary penalty.

Michael J. Hatton, Lenoir, for the alleged violation of using a pesticide in a manner inconsistent with its label; and for applying a pesticide under conditions that drift from the pesticide particles or vapors result in adverse effects. Mr. Hatton agreed to pay a monetary penalty.

Phillip R. Jeffereys, Bunn, for the alleged violation of using a pesticide in a manner inconsistent with its label; and for operating in a careless, faulty, or negligent manner. Mr. Jeffereys agreed to pay a monetary penalty.

Walter K. Lynch, Selma, for the alleged violation of using a pesticide in a manner inconsistent with its label; for making a pesticide application or recommendation not in accordance with the label; and for operating in a careless, faulty, or negligent manner. Mr. Jeffereys agreed to pay a monetary.

John C. McMullan, Asheboro, for the alleged violation of using a pesticide in a manner inconsistent with its label; for failing to pay the original or renewal license fee when due and continued to operate as an applicator, or applied pesticides without a license; and for failing to have at least one licensed individual at the business location. Mr. McMullan agreed to pay a monetary penalty.

Jesse E. Page, Jr., Willow Springs, for the alleged violation of storing, disposing, or discarding any pesticides or pesticide containers in a manner as to cause injury to humans, vegetation, crops, livestock, wildlife, or to pollute any water supply or waterway; for using a pesticide in a manner inconsistent with its labeling; for failure to provide product specific information; for failure to post pesticide safety and emergency medical information in a central location; for failing to provide

decontamination supplies as required. Mr. Page agreed to a one-year suspension of his private applicator certification and to pay a monetary penalty.

Southern States Cooperative, Inc., Cloverdale, Virginia, for the alleged violation of distributing, selling, or offering for sale an unregistered pesticide. Southern States Cooperative, Inc. agreed to pay a monetary penalty.

Sweetwater Farm & Garden, Robbinsville, for the alleged violation of acting in the capacity of a pesticide dealer, or engaging or offering to engage in the business of, advertising as, or assuming to act as a pesticide dealer without a license; and for failing to pay the original or renewal license fee when due, and continued to sell restricted use pesticides without paying the license fee, or sold restricted use pesticides without a license. Sweetwater Farm & Garden agreed to pay a monetary penalty.

Caswell H. Booe, III, Yadkinville, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; and for operating in a careless, faulty, or negligent manner. Mr. Booe, III, agreed to pay a monetary penalty.

Terrell C. Boone, Jackson, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for operating in a careless, faulty, or negligent manner and for applying a pesticide under such conditions that drift from pesticide(s) particles of vapors results in adverse effects. Mr. Terrell agreed to one-year denial and/or suspension of his ground pesticide applicator's license beginning December 12, 2000 and to pay a monetary penalty.

David M. Bradley, Hendersonville, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; and for applying a pesticide under such conditions that drift from pesticide(s) particles or vapors results in adverse effects. Mr. Bradley agreed to pay a monetary penalty.

Earl L. Deal, Jr., Laurel Springs, for the alleged violation of operating in a careless, faulty, or negligent manner; and for applying a pesticide under such conditions that drift from pesticide(s) particles or

NCPB Actions (continued)

Continued from page 7

vapors results in adverse effects. Mr. Deal, Jr., agreed to pay a monetary penalty.

Charles M. Gibbs, Raleigh, for the alleged violation of storing, or disposing of containers or pesticides by means other than those prescribed on the labeling or by rule; for failing to prevent leaking or to facilitate inspection; for failing to prevent unauthorized access; for failing to store pesticides in an area that is dry and ventilated and for operating in a careless, faulty, or negligent manner. Mr. Gibbs agreed to pay a monetary penalty.

Danny R. Grant, La Grange, for the alleged violation of distributing selling or offering for sale an improperly labeled pesticide container. Mr. Grant agreed to pay a monetary penalty.

Tom A. Hurst, Apex, for the alleged violation of applying, for compensation, a pesticide that has not been registered. Mr. Hurst agreed to pay a monetary penalty.

Larry R. Jones, Red Springs, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; and for operating in a careless, faulty, or negligent manner and for applying a pesticide under such conditions that drift from pesticide(s) particles or vapors results in adverse effects. Mr. Jones agreed to pay a monetary penalty; and not apply any pesticide product containing the active ingredient 2,4-D ester for a period of one-year

Earl J. Kinsey, Benson, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for operating in a careless, faulty, or negligent manner and for applying a pesticide under such conditions that drift from pesticide(s) particles or vapors results in adverse effects. Mr. Kinsey agreed to pay a monetary penalty.

Southern Tree & Landscape Co., Inc., Kernersville, for the alleged violation of failing to pay the original or renewal license fee when due and continued to operate as an applicator, or applied pesticides without license; and for failing to have at least one person at each business location responsible for the application of pesticides for routine pest control situations. Southern Tree & Landscape Co. Inc. agreed to pay a monetary penalty.

Fred S. Spencer, Creswell, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for

operating in a careless, faulty, or negligent manner and for applying a pesticide under such conditions that drift from pesticide(s) particles or vapors results in adverse effects. Mr. Spencer agreed to pay a monetary penalty and to a one suspension of his private pesticide certification.

William L. Upchurch, Jr., Raeford, for the alleged violation of depositing a pesticide, by aircraft, on the right-of-way of a public road or within 25 feet of the road. Mr. Upchurch, Jr. agreed to pay a monetary penalty.

J. E. Wilson, Smithfield, for the alleged violation of using a pesticide in a manner inconsistent with its labeling and for operating in a careless, faulty, or negligent manner. Mr. Wilson agreed to pay a monetary penalty.

Darren L. Wolfe, Charlotte, for the alleged violation of engaging in the business of a pesticide applicator without a license; for failing to have at least one person at the business location responsible for the application of pesticides for routine pesticide control situations; and for failing to pay the original or renewal license fee when due and continued to operate as an applicator, or applied pesticides without a license. Mr. Wolfe agreed to pay a monetary penalty.

Neil A. Brown, Fayetteville, for the alleged violation of distributing, selling, or offering for sale any pesticide that is not in the manufacturer's or registrant's unbroken immediate container; for engaging in the business of a pesticide applicator without a license; for operating in a careless, faulty, or negligent manner; for failing to have at least one licensed person at the business location responsible for the application of pesticides for routine pesticide control situations; and for storing formulated pesticides in unlabeled containers. Mr. Brown agreed to pay a monetary penalty.

Luther V. Bunch, Jr., Raleigh, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for operating in a careless, faulty, or negligent manner; and for storing or disposing of containers or pesticides by means other than prescribed on the labeling or by rule; for failing to prevent leaking or to facilitate inspection; for failing to prevent unauthorized access; for failing to store

pesticides in an area that is dry and ventilated and for operating in a careless, faulty, or negligent manner.

Anthony F. Harper, Midland, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for operating in a careless, faulty, or negligent manner; for storing or disposing of containers or pesticides by means other than prescribed on the labeling or by rule; and so as to cause or allow open burning of pesticide containers Mr. Harper agreed to pay a monetary penalty.

M. Earl Jefferson, Sr., Chocowinity, for the alleged violation of engaging in the business of a pesticide applicator without a license; for failing to pay the original or renewal license fee when due and continued to operate as an applicator, or applied pesticides without a license; and for failing to have at least one licensed person at the business location responsible for the application of pesticides for routine pesticide control situations. Mr. Jefferson, Jr. agreed to pay a monetary penalty.

Gus Woodrow McPherson, Jr., Camden, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for making a pesticide application or recommendation not in accordance with the label; for operating in a careless, faulty, or negligent manner and for applying a pesticide under such conditions that drift from pesticide(s) particles or vapors results in adverse effects. Mr. McPherson, Jr. agreed to pay a monetary penalty and not to apply any pesticide product containing the active ingredient 2,4-D for a period of one year.

Edward L. Owens, Raeford, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for depositing a pesticide by aircraft within 300 feet of the premises of any building (other than an resident which is used for business or social activities if either the premises or the building is occupied by people; for depositing a pesticide, by aircraft, on the right-of-way of a public road or within 25 feet of the road; and for depositing a pesticide within 100 feet of any residence. Mr. Owens agreed to pay a monetary penalty.

Richard W. Paestella, Spencer, for the alleged violation of using a pesticide

(See NCPB Actions continued, Page 9)

Environmental Risk Reduction through Education & Safety Training

In March of this year, NCDA&CS and N.C. State University hosted the first “train-the-trainer” program offered by the Southern Regional Pesticide Safety Education Center (PSEC). Participants included pesticide inspectors, county cooperative extension agents, and pesticide education specialists from the Southern USDA Region. Instruction focused on hands-on activities for adult learners. PSEC was funded by a grant from the Department’s Pesticide Environmental Trust Fund and is the first of its kind in the nation. Goals of the PSEC include reducing accidental pesticide exposure to workers and applicators, decreasing adverse environmental impacts from pesticide use, and creating greater applicator awareness of the benefits and risks of pesticide use. Another training program is scheduled for October 8-10, 2001.

Ralph Denning; NCDA&CS laboratory Supervisor (left) giving tour of Formulations Lab along with Bob McCracken; PSEC Coordinator (back left), Diane Ducharme; Buncombe County CES, Al Wood; Pasquotank County CES, Marjorie Rayburn; Gates County CES, and Ken Vaughn; Iredell County (far right).



NCPB Actions (continued)

Continued from page 9

in a manner inconsistent with its labeling; for making a pesticide application or recommendation not in accordance with the label; for operating in a careless, faulty, or negligent manner and for engaging in the business of a pesticide applicator without the proper license subclass. Mr. Paestella agreed to pay a monetary penalty.

Raintree Country Club, Charlotte, for the alleged violation of operating in a careless, faulty, or negligent manner and for engaging in the business of a pesticide applicator without the proper license subclass. Raintree Country Club agreed to pay a monetary penalty.

Jason E. Coker, Alexander Mills, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for continuing to operate as an applicator; for applying pesticides without a license and for failing to properly store pesticides to prevent unauthorized access. Mr. Coker agreed to pay a monetary penalty.

Eustace O. Coor, III, Smithfield, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for providing or making available a restricted

use pesticide to a person other than a licensed pesticide applicator and for gross negligence, incompetence or misconduct in acting as a pesticide dealer. Mr. Coor, III, agreed to pay a monetary penalty.

James D. Haynes, Shelby, for the alleged violation of the alleged violation of engaging in the business of a pesticide applicator without a license; for failing to pay the original or renewal license fee when due and continued to operate as an applicator, or applied pesticides without a license; and for failing to have at least one licensed person at the business location responsible for the application of pesticides for routine pesticide control situations. Mr. Haynes agreed to pay a monetary penalty.

Rufus A. Jackson, Jr., Elizabeth City, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for operating in a careless, faulty, or negligent manner and for applying a pesticide under such conditions that drift from pesticide(s) particles or vapors results in adverse effects. Mr. Jackson, Jr. agreed to pay a monetary penalty and to a one year suspension of

his private applicator certification.

Sean K. McCarty, Greenville, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for operating in a careless, faulty, or negligent manner. Mr. McCarty agreed to pay a monetary penalty.

Randy R. Milstead, Taylorsville, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; and for operating in a careless, faulty, or negligent manner. Mr. Milstead agreed to pay a monetary penalty and to a two month suspension of his private applicator certification.

L. J. Rogers, Jr., Mebane, for the alleged violation of acting in the capacity of a pesticide dealer without a license; for failing to pay the original or renewal license fee when due, and continued to sell restricted use pesticides without paying the license fee, or sold restricted use pesticides without a license. Mr. Rogers, Jr. agreed to pay a monetary penalty.

H. Dean Ross, Waynesville, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for

(See NCPB Actions continued, Page 11)

*For more information about pesticides,
contact your local Cooperative Extension Service office.*

Barber Orchard: What Went Wrong?

Continued from page 5

igation, it is not known whether the pesticide residues found in the Barber Orchard were from spills, old mixing/loading sites, or from years of applications. At one time it was thought that the under-ground delivery system caused the contamination by leaking at various points within the orchard, but no firm conclusions could be determined due to the time that had elapsed. Who is responsible for this contamination? This was the question that many residents were asking during the investigation.

Although pesticide use has greatly changed since the early days of the Barber Orchard, the fact remains that farming is still dependent on pesticides for economic viability. It is very important that you look carefully at your pesticide practices so that this scenario may be avoided in the future. Some important points to remember are:

1. *Do not mix and load pesticides in areas that could contaminate water sources,*
2. *Follow all label instructions regarding use, storage, and disposal, and*
3. *Plan what to do to contain and cleanup a spill before one actually occurs.*

If you follow these preventative measures, you can help to avoid contamination of the environment.

“Stop Childhood Poisonings...Because You Can”

Each year thousands of children are exposed to pesticides that can make them very sick. If you work with or use these hazardous chemicals regularly, keep your children safe by using the tips below.

1. Do not use pesticides around children or their toys. Make sure the area is completely dry before children play there.
2. Always close pesticide containers tightly and keep out of children's reach.
3. Pesticides should always be locked up and stored in their original, labeled containers.
4. Never pour pesticides into an empty food, drink or medicine container, or any unlabeled container.
5. Wash your hands and/or shower immediately after using pesticides.
6. After showering, put on clean clothing and wash dirty clothing in hot water, separate from the rest of the laundry.
7. Pesticides cannot be cleaned off of leather boots, shoes, belts or jackets. If you wear these items and get pesticides on them, the leather items should be thrown away.
8. Never reuse empty pesticide containers or take pesticides home from your worksite.
9. Keep the telephone number of the Carolinas Poison Center near each phone. In the case of an accidental poisoning, call the Center toll-free at **1-800-848-6946**. In life threatening emergencies, call 911 first.
10. Teach your children about the dangers of pesticides.



These tips are reminders from the Pediatric Poison Prevention Project. Built on the theme, “Stop Childhood Poisoning...Because You Can,” the program teaches North Carolina families, caregivers and others how to prevent accidental childhood poisonings.

Medical School to Produce WPS Video for Spanish Speaking Workers

Dr. Tom Arcury, Associate Professor of Family and Community Medicine at Wake Forest University School of Medicine, recently accepted a \$35,000 check from the Department's Pesticide Environmental Trust Fund (PETF) for partial funding of a new video to educate farmworkers regarding pesticide safety. Commissioner Meg Scott Phipps presented the check to Dr. Arcury in Raleigh on April 11. Syngenta and Aventis CropScience, two major producers of agricultural chemicals, also contributed funds to the project. A second installment from the PETF will be given to Dr. Arcury before filming begins.

The video will be in Spanish but will have English subtitles so that growers can follow what is being said. A variety of North Carolina crops (tobacco, cucumbers, apples, and Christmas trees) will be featured in the video. To attract and retain the interest of workers, the video will have a "story line" but all EPA required WPS training elements will be covered. Kay Harris, the Department's Worker Protection Specialist, and Peyam Barghassa, the Department's Bilingual Pesticide Specialist, are both serving as consultants on this project. The video will be submitted to the USEPA for authorization as an approved WPS training material. Dr. Arcury plans to have the video ready for use during the 2002 field season.

By Colleen Hudak, Certification, Licensing & Outreach Manager

Need Help Complying with the Worker Protection Standard (WPS)?

The law helps protect you!
(La ley ayuda a protegerte!)

7

■ Your boss must not let you work in some areas.

Your boss must not let you work in an area where:

- Pesticides are being applied
- Or pesticides may drift onto you

After a pesticide is used, you may not enter a field during the Restricted Entry Interval (REI).

The law sets different safety periods or REIs for different pesticides.

■ Su patrón no le puede permitir trabajar en algunos áreas.

Su patrón no le puede permitir trabajar en un tipo de áreas:

- Se están aplicando pesticidas.
- O donde pueda haber contacto con pesticidas arrastrados por el viento.

Después de que se use un pesticida, no puede entrar a un área durante el Intervalo Restringido de Reingreso (REI).

Las leyes establecen diferentes tiempos de restricción o de seguridad para diferentes pesticidas.




Call the Pesticide Section at (919) 733-3556.

NCPB Actions (continued)

Continued from page 9

making a pesticide application or recommendation not in accordance with the label; for operating in a careless, faulty, or negligent manner and for applying a pesticide under such conditions that drift from pesticide(s) particles or vapors results in adverse effects. Mr. Ross agreed to pay a monetary penalty and to one year suspension of his private applicator certification.

Gary B. Thomas, Cameron, for the alleged violation of storing or disposing of containers or pesticides by means other than those prescribed on the labeling; and for improper storage of formulated pesticide products; for altering, defacing, any part of a pesticide label (ing); for using a pesticide in a manner inconsistent with its label and for disposing of pesticides or containers by open dumping; for failing to notify (oral/written) greenhouse workers of pesticide applications; failing to post pesticide application information as required by labeling; for failing to assure that workers were adequately trained and for failing to provide decontamination supplies for emergency and routine eyeflushing, single use towels and soap, and protective

eyewear when specified by the label. Mr. Thomas agreed to pay a monetary penalty and to a two year denial or suspension of his pesticide license and/or private applicator certification.

Max Toney, Belmont, for the violation of using a pesticide in a manner inconsistent with its labeling; and for operating in a careless, faulty, or negligent manner. Mr. Toney agreed to pay a monetary payment.

Bennie C. Torian, Durham, for the alleged violation of storing, disposing, or discarding any pesticides or pesticide containers in a manner as to cause injury to humans, vegetation, crops, livestock, wildlife, or to pollute any water supply or waterway; for operating in a careless, faulty, or negligent manner; for storing or disposing of containers or pesticides by means other than those prescribed on the labeling or by rule; for disposing of a pesticide or pesticide container in a manner so as to cause or allow open dumping of pesticides or pesticide containers; for not storing pesticides in a manner to prevent leaking and to facilitate inspection; for storing formulated pesticides in unlabeled containers and for failing to

store pesticides in an area that is dry and ventilated and free of combustible materials.. Mr. Torian agreed to pay a monetary penalty.

Carey N. Weston, Raleigh, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for applying a pesticide under such conditions that drift from pesticide(s) particles or vapors results in adverse effects and for failing to supervise and guide the activities of all personnel applying pesticides under direct supervision. Mr. Weston agreed to pay a monetary penalty, a two-month suspension of his public operator's license. In addition, Mr. Weston agreed to provide additional pesticide mixing and application training to all staff.

James F. Beam, Lawndale, for the alleged violation of using a pesticide in a manner inconsistent with its labeling; for storing or disposing of containers or pesticides by means other than those prescribed on the labeling or by rule; and for storing formulated pesticides in unlabeled containers and for failing to properly store pesticides to prevent unauthorized access. Mr. Beam agreed to pay a monetary penalty.

For More Information

PESTICIDE SCHOOLS AND MATERIALS FOR CERTIFICATION AND RECERTIFICATION

CONTACT: Dr. Wayne Buhler, Dept. of Horticultural Science, Box 7609, NCSU, Raleigh, NC 27695. Phone (919) 515-3113

CERTIFICATION, LICENSING, AND RECERTIFICATION CREDITS OR TESTING

CONTACT: Mike Williams, Pesticide Section, NCDA&CS, P.O. Box 27647, Raleigh, NC 27611. Phone (919) 733-3556

PRIVATE APPLICATOR RECERTIFICATION CLASSES

CONTACT: Your local Cooperative Extension Service office

COMMERCIAL APPLICATOR AND DEALER RECERTIFICATION CLASSES

CONTACT: Pesticide Section Homepage www.ncagr.com/fooddrug/pestcid

PESTICIDE CONTAINER RECYCLING

CONTACT: Colleen Hudak, Pesticide Section, NCDA&CS, P.O. Box 27647, Raleigh, NC 27611. Phone (919) 733-3556

PESTICIDE WASTE DISPOSAL

CONTACT: Royce Batts, Food and Drug Protection Division, NCDA&CS,
P.O. Box 27647, Raleigh, NC 27611 (919) 733-7366 or (919) 715-9023.

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