

Pesticide Update



Structural Pest Control and Pesticides Division, www.ncagr.com/pesticide/

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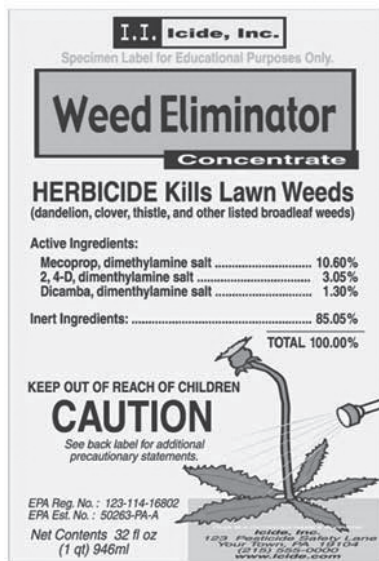
Summer 2008

The Label Is The Law!

[This is the first of a two part article discussing Signal Words on pesticide labels. Part 1 will explain what the Signal Word tells the applicator and what studies are used for determining Signal Words. Part 2 will explain how Signal Words are determined, and regulations pertaining to Signal Words.]

By Cam McDonald, Certification & Training Specialist, NCDA&CS

The label is the law! Most applicators have certainly heard this statement at some time or another. But why is this true and how can it help you, the applicator? This statement is true because pesticide sales, distribution, and use are federally governed by The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The Environmental Protection Agency (EPA) has the authority, under FIFRA, to develop and adopt regulations regarding the sale, distribution, and use of pesticides. The



North Carolina Department of Agriculture is the State Lead Agency responsible for the enforcement of FIFRA in North Carolina as well as enforcement of the North Carolina Pesticide Law of 1971 and its Regulations.

Pesticide labels furnish applicators with important information. Labels contain precautionary statements designed to provide the applicator with information regarding the toxicity, irritation and sensitization hazards associated with the use of a pesticide, as well

as treatment instructions and information to reduce exposure potential. A very important precautionary statement that every applicator should be familiar with is the Signal Word. Signal Words approved for pesticide labels include: CAUTION, WARNING, and DANGER.

See "Label," Page 2

New Members Join NCDA&CS Team

By Renee Woody, Certification and Training Specialist, NCDA&CA

The Structural Pest Control and Pesticides Division welcomed four new team members. Dr. Bob Bruss, Environmental Toxicologist, will be leading our Risk Assessment & Environmental Fate Team. This team manages the Division's environmental programs, which include risk identification, ground water quality, endangered species, public health concerns, and the pesticide disposal assistance program.

Joining the Division's Field Operations Unit are Pesticide Inspector I, Doug Bullard in the Eastern District, and Pesticide Inspector I's, Travis Snodgrass and Eddie Nunn, in the Western District. The Field Operations Unit of the Pesticide Section has the responsibility to carry out, on a statewide basis, the inspection and investigative functions of all mandated pesticide programs.



Dr. Bob Bruss

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For additional information about the **Structural Pest Control & Pesticides Division**, visit our website at: www.ncagr.com/pesticide or write to us at: 1090 Mail Service Center Raleigh, NC 27699.

Label from page 1

So, how does the Signal Word help the applicator? The Signal Word alerts the applicator to the toxicity of a pesticide product. The Signal Word is a description of the acute (short-term exposure) toxicity of a formulated pesticide product. Toxicity refers to the potential of a pesticide to cause adverse effects. Several acute toxicity studies must be conducted to determine the toxicity of a pesticide product. The toxicity studies are directly related to the 4 main routes of pesticide exposure. As most of you already know, the main routes of pesticide exposure are: oral (when you swallow a pesticide), inhalation (when you inhale a pesticide), ocular (eye), and dermal (when you get a pesticide on your skin). The results of the acute toxicity studies are then used to assign the appropriate Signal Word to a pesticide product.

| Table 1 - Toxicity Categories | | | | |
|-------------------------------|---|---|--|--|
| Study | Category I | Category II | Category III | Category IV |
| Acute Oral | Up to and including 50 mg/kg | > 50 thru 500 mg/kg | > 500 thru 5000 mg/kg | > 5000 mg/kg |
| Acute Dermal | Up to and including 200 mg/kg | > 200 thru 2000 mg/kg | > 2000 thru 5000 mg/kg | > 5000 mg/kg |
| Acute Inhalation ¹ | Up to and including 0.05 mg/liter | > 0.05 thru 0.5 mg/liter | > 0.5 thru 2 mg/liter | > 2 mg/liter |
| Primary Eye Irritation | Corrosive (irreversible destruction of ocular tissue) or corneal involvement or irritation persisting for more than 21 days | Corneal involvement or other eye irritation clearing in 8-21 days | Corneal involvement or other eye irritation clearing in 7 days or less | Minimal effects clearing in less than 24 hours |
| Primary Skin Irritation | Corrosive (tissue destruction into the dermis and/or scarring) | Severe irritation at 72 hours (severe erythema or edema) | Moderate irritation at 72 hours (moderate erythema) | Mild or slight irritation at 72 hours (no irritation or slight erythema) |

¹ 4 hr exposure

Acute toxicity studies include: Acute Oral (swallowing), Acute Dermal (contact with skin), Acute Inhalation (breathing), Primary Eye, and Primary Skin. Acute refers to the fact that short-term exposure is studied.

Acute toxicity is established through scientifically verifiable data from animal or human exposure tests. A common measure of toxicity is the lethal dose (LD50) or lethal concentration (LC50) which causes death (resulting from a single or limited exposure) in 50% of the treated laboratory animals. LD 50 is generally expressed as the dose in milligrams (mg) of pesticide per kilogram (kg) of body weight. The lower the LD 50, the more toxic the substance. Pesticides are considered highly toxic when the LD50 or LC50 is small and practically non-toxic when the value is large. However, the LD50 or LC50 does not reflect any effects from long-term exposure (i.e., cancer, birth defects or reproductive toxicity) which may occur at doses below those used in short-term studies.

There are four toxicity categories: I, II, III, and IV. Toxicity categories range from Category I, being the most toxic, through Category IV, being the least toxic. Table 1 shows the ranges for assigning a pesticide product a toxicity category for each of the acute (short-term exposure) studies. Again, these acute studies are directly related to the main routes of pesticide exposure, which are oral, inhalation, ocular, and dermal. Prior to assigning a Signal Word to a pesticide product, the pesticide product will be assigned a toxicity category for each of the 5 studies.

The toxicity of different pesticide products can vary greatly. For example, take two different pesticide products, Product X and Product Y. Product X has an LD50 of 35 mg/kg, and Product Y has an LD50 of 5500 mg/kg. Remember, the lower the LD50, the more toxic the substance. The toxicity of these two substances are very different, it only takes a small amount of Product X (35 mg of pesticide/kg of body weight) to kill 50% of the test animals, where it took a lot more of Product Y

(5500 mg of pesticide/kg of body weight) to kill half of the test animals. Compare the two products using the Acute Oral Study (swallowing) in Table 1.

- Product X (LD50 of 35 mg/kg of body weight)
- Product Y (LD50 of 5500 mg/kg of body weight)

Product X would fall under Toxicity Category I, and Product Y would fall under Toxicity Category IV. Product X would be considered very toxic, and Product Y would be considered minimally toxic.

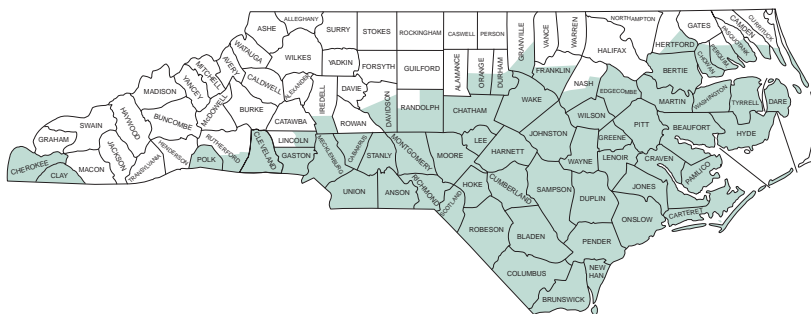
Once a pesticide product has been studied and toxicity categories have been assigned for the various exposure routes (oral, inhalation, ocular, and dermal), the appropriate Signal Word can be assigned. In Part 2 of this article, I will explain how the results of the toxicity studies are used to assign a Signal Word to a pesticide product, and explain other regulations affecting the Signal Word.


Quarantine Area for the Imported Fire Ant Expanded


Imported Fire Ant Quarantine Area

North Carolina - 2008

www.ncagr.com/plantind/plant/entomol/ifamap.htm



 Regulated Area - Movement of regulated articles from this area into or through white area requires inspection.

 Non Regulated Area - Movement of articles from or through these areas does not require inspection.

RALEIGH - The N.C. Department of Agriculture and Consumer Services is expanding a state quarantine for the imported fire ant in a continuing effort to monitor and address this pest. With the expansion, the quarantine now includes portions or entire areas of 63 counties.

The quarantine expansion means residents and business owners in all of Bertie and Martin counties, and portions of Davidson and Franklin counties, will now need to obtain a permit before moving plants, sod and related equipment into or through non-infested areas. Effective immediately, the imported fire ant quarantine is revised to include:

- Bertie County – The entire county.
- Martin County – The entire county.
- Davidson County – That portion of the county south of Interstate 85.
- Franklin County- That portion of the county south of N.C. 56 from the Granville County line to the Nash County line.

Items requiring a permit include sod, soil, hay and straw, nursery plant material, logs or pulpwood with soil, and soil-moving equipment. Movement of infested materials could result in the establishment and secondary spread of the pest to non-infested areas. Businesses and individuals within the quarantined areas

will need to obtain a permit to move these materials through or to non-quarantined areas. Certificates can be obtained from a local plant protection specialist or by contacting the Plant Protection Section at (800) 206-9333 or (919) 733-6932.

“Failure to obtain the needed inspections and certifications may result in the issuance of a stop-sale notice and rejection or destruction of the regulated article,” said Gene Cross, director of the NCDA&CS Plant Industry Division. “It is critical we continue proactive efforts to keep the fire ant from moving into non-regulated areas of the state.”

The imported fire ant quarantine is part of the NCDA&CS’ ongoing effort to monitor and address the threat posed by this pest. The imported fire ant entered the United States through Alabama in 1918, and was first identified in North Carolina in Brunswick County in 1957. Since its introduction, it has spread north to additional areas in the state. As it spread and became established, it was recognized as an aggressive pest of farmlands, pastures, residential areas and wildlife. For more information about imported fire ants and other regulated pests, please visit: <http://www.ncagr.com/plantindustry/plant/index.htm>

Always Safety! Siempre Seguridad!

By Wendy Laing, Extension Specialist, NCSU

This message of safety will be presented at many locations throughout the state as the North Carolina State University Industrial Extension Service (IES) delivers safety training to the landscaping services and nursery industry in North Carolina.

Do you want to reduce or minimize the potential for injuries at your organization? Attend this 2 – 3 hour training at no or low cost, and you and your employees will learn safe practices for:

- working with pesticides and other chemicals
- wearing appropriate personal protective equipment
- lifting
- working in hot environments and near roadways
- working with chainsaws and other equipment
- managing and working in a safety and health management system



This training will be offered in English and in Spanish, and is provided due to a US OSHA grant that IES received in 2006.

Attendees may also be eligible for continuing certification credit toward their N.C. pesticide license, pending approval from the NC Department of Agriculture & Consumer Services. The content of this course was developed from the feedback received from a safety training survey distributed during the summer of 2007. Thanks to the 320+ respondents, as you were instrumental in designing this course!

Training will be offered at numerous locations throughout the state through September 2008, with the assistance of NCSU Cooperative Extension Service and the NC Nursery & Landscape Association, Inc. For more information on the dates and locations, please go to www.ies.ncsu.edu/landscapingsafety, or contact Wendy Laing at wendy_laing@ncsu.edu.

Don't Let This Happen To You!

By Cam McDonald, Certification & Training Specialist, NCDA&CS

Last week a friend of mine mentioned that he had attended a training class in order to receive pesticide certification credits. When I asked him what training he had attended, he could not remember the exact name of the training, but did mention the topics that were covered. He explained that a NCDA&CS inspector had covered WPS and USDA Recordkeeping, and that the County Extension Agent had talked about respirators, and transporting pesticides safely. I then asked if I could see his applicator card; I wanted to make sure that I was correct before I gave him the bad news. After looking at his applicator card, I told him the bad news. The training he attended would not count toward recertification for his pesticide license. He had attended Private Safety (V) training, and he holds a Commercial Ground Applicator License, category (L), which is Ornamental & Turf. As I hope most of you know, only Private Applicators (farmers) are required to attend the Private Safety (V) training. The "V" training is for Certified Applicators who apply Restricted Use Pesticides (RUP's) for the purpose of growing an agricultural commodity on lands they either own or rent. A licensed pesticide applicator will not receive credit for attending "V" training.

I was not really surprised that this had happened. Our office receives calls weekly from applicators confused about various issues regarding licensing, certification, and recertification. A frequent issue that our office staff encounters involves the recertification date versus the expiration date. I am writing this article hopefully to clarify this and other important issues that have caused applicators trouble in the past. I hope that this information may keep some applicator from having to retest in the future. I certainly do not know of many people, including myself, that like to take tests.

As previously mentioned, our office frequently receives questions regarding the difference between the recertification date and the expiration date. However, before I explain recertification date, it may help if I first clarify certification and licensing, and explain how these two are interrelated.

Certification is the process by which the North Carolina Department of Agriculture and Consumer Services (NCDA&CS) recognizes a person as competent and thus authorized to use or supervise the use of restricted-use pesticides. Competency is demonstrated by successfully completing and passing a written pesticide examination. The North Carolina Pesticide Law of 1971 requires that the following persons be certified prior to conducting their respective duties: private pesticide applicators (farmers), commercial applicators, public operators, pesticide consultants, and pesticide dealers (who sell restricted-use pesticides to the end user).

In general, licensing provides an individual legal permission to engage in a pesticide related business. Commercial pesticide applicators (ground and aerial) and public operators are licensed because they apply pesticides to the property of another. The North Carolina Pesticide Law of 1971 and its Regulations, requires licensing of commercial pesticide applicators (ground and aerial), public operators, pesticide dealers (for those who sell or offer to sell RUPs to the end user), and pest control consultants.

As noted above, all private applicators (farmers), commercial applicators, public operators, pesticide consultants, and pesticide dealers are required to be certified; additionally, commercial applicators, public operators, pesticide consultants, and pesticide dealers are also required to be licensed prior to conducting pesticide related business.

Recertification is the process by which NCDA&CS recognizes an applicator has maintained their certification by attending the required continuing education training prior to their recertification date. Commercial applicators must maintain their certification in order to have the option of applying for their annual license. Private applicators must maintain their certification in order to renew their Private Applicator Card that is good for 3 years. Any currently certified applicator, consultant, or dealer will not be required to retest as long as their certification is maintained. Applicators, consultants, and dealers can maintain their certification by attending the required amount of

approved continuing education training within the appropriate time period.

So, what is the difference between the recertification date and the expiration date? Both of these dates are shown on Private Applicator (farmer) Certification (green) Cards. Simply put, the recertification date is the deadline for obtaining the required continuing education training for the purpose of maintaining certification. The expiration date indicates how long the applicator is legal to use or supervise the use of any restricted use pesticide for the purpose of producing any agricultural commodity. Remember, Private Applicators are only required to be certified. The expiration date for a Private Pesticide Applicator Card is ALWAYS shown as the last day of a calendar year (i.e. 12/31/??). The recertification date on a Private Applicator Card is ALWAYS shown as September 30th. (i.e. 9/30/??). The year is determined by the last year on the 3-year certification period. A private applicator is certified up to the expiration date on their green card, but they must obtain the required pesticide training prior to the recertification date in order to renew their green card without having to retest.

Just as private applicators have to deal with different dates regarding their applicator (green) cards, so do commercial applicators, public operators, pesticide consultants, and dealers. Since these individuals are required to be licensed in addition to being certified, their applicator cards are considered license cards, and thus show a license expiration date. License cards also show a deadline for obtaining the required continuing education training. The recertification deadline for commercial applicators, public operators, pesticide consultants, and dealers is ALWAYS shown as June 30th (i.e. 06/30/??). The year is determined by the last year of their certification period. Commercial applicators, pesticide consultants, and dealers can legally engage in a pesticide related business up to the license expiration date on their license, but they must get their required continuing education training prior to their recertification date. Please note, that on the 2008 License Cards, instead of recertification date 06/30/??, on the back of the card it reads, *See "Confusion," Page 7*

Pesticide Exam Changes in 2008

By Cam McDonald, Certification & Training Specialist, NCDA&CS

As of March 1, 2008 individuals seeking licensing in Public Health Pest Control (B), Right-of-Way Pest Control (H), or Agricultural Pest Control-Animal (K)* are required to test using a split format. Under Agricultural Pest Control-Animal, individuals can become licensed in either Livestock, Poultry, or Pet Grooming. With a split format, individuals must take and pass two exams in order to become licensed. A passing score is 70% for each exam. Ornamental & Turf Pest Control (L), and Aquatic Pest Control (A) have been under the split exam format for several years.

Individuals are now required to pass both the Core Exam, and a category specific exam in order to become licensed in any of the following categories: Ornamental & Turf Pest Control (L), Aquatic Pest Control (A), Public Health Pest Control (B), Right-of-Way Pest Control (H), and Agricultural Pest Control-Animal (K)*. The Core Exam covers general pesticide information such as mixing, loading, storage, labeling, formulations, environmental issues, PPE, calibration, etc., as well as information regarding NC Pesticide Laws and Regulations. The category specific exams contain questions directly related to the specific license category. The Core Exam consist of 100 multiple choice questions, and each category specific exam consist of 50 multiple choice questions. However, the following license categories still only require one exam: Dealer (D), Forest Pest Control (G), Regulatory Pest Control (I), Seed Treatment (M), Agricultural Pest Control-Plant (O), Wood Preservation & Treatment (T), and Private Pesticide Applicator (V).

So, how will these split exams affect you if you are currently licensed? If you are currently licensed and you do not want to add additional categories, as long as you obtain the appropriate pesticide certification credits within your certification period, you will not be affected. However, if you let your certification expire without obtaining the appropriate pesticide credit, you will have to retest before a license can be issued. If the license category you want requires a split exam, you will be affected. When you retest you will have to pass both the Core Exam, and a category

specific exam to become licensed. So, it is more important than ever to keep up with your credit status, your certification date, and stay certified.

How will the split exam format affect you if you wish to add a category to a current license? Individuals who wish to add a category to their license that now requires a split exam will have to take and pass the Core Exam, or show that they have previously passed the Core Exam, and take the category specific exam for the category that they are adding to their license. Applicators licensed in either Ornamental & Turf Pest Control (L), or Aquatic Pest Control (A), AND who tested after the fall of 2004, have already taken the Core. These applicators will not need to retake the Core when adding a category that requires the Core.

Is there a way for you to know whether you have passed the Core Exam already? Yes, you can look on your green license card for "Categories Held"; if you have previously passed the Core Exam, there will be an "E" shown on your license. If you are licensed in a single category, and have an "E" on your license, you will maintain the "E" designation (have credit for passing the Core Exam) as long as you stay certified in that category. If you are licensed in multiple categories, you will maintain the "E" on your license as long as you maintain certification in at least one category that requires the Core. So again, if you want to avoid having to retake the Core Exam, keep up with your credits, your certification date, and stay certified.

As always, if you have any questions regarding the exam changes for 2008, or other licensing and certification issues, please feel free to contact the staff at the Pesticide Section, and we will be happy to assist you.

* Applicators seeking licensing in Agricultural Pest Control-Animal may choose between three sub-categories when taking the category specific exam. These sub-categories are: Livestock (K), Small Animal (SA) (Pet Grooming), and Poultry (PU).

Protect Yourself From the Heat!

By Wendy Laing, Extension Specialist, NCSU

Get ready for outdoor work in the typical NC summer: high temperature and humidity, working directly in the sun or heat, limited air movement, and physical exertion. These factors lead to a potential heat-related illness



| Symptoms of Heat Exhaustion | Symptoms of Heat Stroke |
|---|---|
| <ul style="list-style-type: none"> • Headaches, dizziness, lightheadedness or fainting • Weakness and moist skin • Mood changes such as irritability or confusion • Upset stomach or vomiting | <ul style="list-style-type: none"> • Dry, hot skin with no sweating • Mental confusion or losing consciousness • Seizures or convulsions |

Prevent heat-related illnesses by:

- Monitoring yourself and your coworkers
- Drinking lots of water; about 1 cup every 15 minutes
- Wearing lightweight, light colored, loose-fitting clothes
- Taking frequent short breaks in the cool shade
- Avoiding alcohol, caffeinated drinks, or heavy meals
- (Don't forget to protect your skin with sunscreen, wide-brimmed hats, and limit exposure between 10 am and 4 pm.)

Respond to a heat-related illness by calling 911 (or local emergency number) at once. While waiting for help to arrive:

- Move the person to a cool, shaded area
- Loosen or remove heavy clothing
- Provide cool drinking water
- Fan and mist the person with water

North Carolina Pesticide Board Actions

At the December 2006 through June 2007 meetings of the North Carolina Pesticide Board, the following settlement agreements, including license suspensions and monetary penalties totaling \$32,300.00 were approved for alleged violations of the NC Pesticide Law of 1971. Consent to the terms of the settlement agreement does not constitute an admission of guilt to any alleged violation.

John C. Howard, Deep Run, NC, for the alleged violation(s) of improperly disposing of pesticide containers in a manner that endangers man and his environment. Mr. Howard agreed to pay a monetary penalty of \$500.00.

Arthur T. Lee, Dunn, NC for the alleged violation(s) of using a pesticide in a manner inconsistent with its labeling and for alleged violations of the Worker Protection Standard. Mr. Lee agreed to pay a monetary penalty of \$1,500.00.

Kmart of North Carolina LLC for the alleged violation(s) of storing pesticides in a manner that endangers man and his environment at the Thomasville, NC store location. Kmart agreed to pay a monetary penalty of \$900.00.

Home Depot U.S.A., Inc. for alleged violation(s) of storing pesticides in a manner that endangers man and his environment at Charlotte, Matthews, and Kannapolis, NC store locations. Home Depot agreed to pay monetary penalties totaling \$4,500.00.

Danny P. Walker, Roxboro, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling and for alleged violations of the Worker Protection Standard. Mr. Walker agreed to pay a monetary penalty of \$1,000.00.

William M. Gooden, Hendersonville, NC for alleged violation(s) of engaging in the business of a pesticide applicator without a license and applying pesticides without a license. Mr. Gooden agreed to pay a monetary penalty of \$600.00.

Wal-mart Stores East, LP for alleged violation(s) of storing pesticides in a manner that endangers man and his environment at the Sanford, NC store location. Wal-mart agreed to pay a monetary penalty of \$900.00.

Lewis W. Herring, Jr., LaGrange, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling and for making or recommending a pesticide application not in accordance with the label. Mr. Ashe agreed to pay a monetary penalty of \$450.00.

Marvin Creech, Goldsboro, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling and for applying pesticides under conditions that drift from pesticide(s) particles or vapors result in adverse effect. Mr. Creech agreed to pay a

monetary penalty of \$400.00.

Wendell G. Johnson, Candor, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling. Mr. Johnson agreed to pay a monetary penalty of \$500.00.

Shannon K. Rutledge, Wylliesburg, VA for alleged violation(s) of distributing, selling or offering for sale a restricted use pesticide to an unlicensed dealer. Ms. Rutledge agreed to pay a monetary penalty of \$300.00.

David A. Lynch, Greensboro, NC for alleged violation(s) of engaging in the business of a pesticide dealer without a license, failure to keep records of all sales of restricted use pesticides, improper storage of pesticides. Mr. Lynch agreed to pay a monetary penalty of \$800.00.

Joseph E. Lewis, Middlesex, NC for alleged violation(s) of distributing, selling or offering for sale a restricted use pesticide to an unlicensed dealer. Mr. Lewis agreed to pay a monetary penalty of \$400.00.

Thomas A. Woody, Lenoir, NC for alleged violation(s) of the Worker Protection Standard and using a pesticide in a manner inconsistent with its labeling. Mr. Woody agreed to pay a monetary penalty of \$800.00.

Kevin E. Braddy, Mebane, NC for alleged violation(s) of providing or making available a restricted use pesticide to a non-certified applicator. Mr. Small agreed to pay a monetary penalty of \$750.00.

Junious Bobby Rascoe, Burlington, NC for alleged violation(s) of using a restricted use pesticide in a manner inconsistent with its labeling and applying a restricted use pesticide without the proper license or certification. Mr. Rascoe agreed to pay a monetary penalty of \$450.00.

Eury B. Dyson, Ivanhoe, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling. Mr. Dyson agreed to pay a monetary penalty of \$450.00.

Christian A. Overton, Elizabeth City, NC, for the alleged violation(s) of providing or making available a restricted use pesticide to a non-certified private applicator. Mr. Overton agreed to pay a monetary penalty of \$650.00.

John T. Poteat, Pittsboro, NC for the alleged violation(s) of applying pesticides without a license and applying pesticides under

conditions that drift from pesticide(s) particles or vapors result in adverse effect. Mr. Poteat agreed to pay a monetary penalty of \$800.00.

Christopher E. Manning, Nashville, NC for the alleged violation(s) of the Worker Protection Standard and using a pesticide in a manner inconsistent with its labeling. Mr. Manning agreed to pay a monetary penalty of \$800.00.

James M. Hale, Littleton, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling and for applying pesticides under conditions that drift from pesticide(s) particles or vapors result in adverse effect. Mr. Hale agreed to pay a monetary penalty of \$450.00.

David P. Hruspa, Felton, DE for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling and for applying pesticides to non-target areas. Mr. Hruspa agreed to pay a monetary penalty of \$1,700.00.

Jess L. Benton, Carriere, MS for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling. Mr. Benton agreed to pay a monetary penalty of \$900.00.

Timothy A. Stancill, Ayden, NC for alleged violation(s) of disposing of pesticides or pesticide containers in such a manner as may cause injury to humans, vegetation, crops, livestock, wildlife, or to pollute any water supply or waterway. Mr. Stancill agreed to pay a monetary penalty of \$700.00.

Thomas E. Frizzi, Charlotte, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling and for applying pesticides under conditions that drift from pesticide(s) particles or vapors result in adverse effect. Mr. Frizzi agreed to pay a monetary penalty of \$500.00.

John H. Johnson, Jr., Hookerton, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling. Mr. Johnson agreed to pay a monetary penalty of \$500.00.

John R. Gray, Timberlake, NC for alleged violation(s) of the Worker Protection Standard and using a pesticide in a manner inconsistent with its labeling. Mr. Gray agreed to pay a monetary penalty of \$700.00.

Kevin L. Jones, Ahoskie, NC for alleged violation(s) of using a pesticide in a manner

See "Actions," Page 7

Compliance Assistance

By Renee Woody, Certification and Training Specialist, NCDA&CS

Pesticide applicators: Are you in compliance with the North Carolina Pesticide Law of 1971 and its Regulations? As a service to pesticide applicators and dealers within the State, the Field Operations Unit of the Pesticide Section of the NCDA&CS Structural Pest Control and Pesticides Division will conduct compliance assistance inspections upon request during normal business hours. All inspections include information specific to your operation on how to comply with the applicable parts of pesticide laws and regulations. On

these prearranged visits, our inspectors will meet with the business owner or manager, conduct an inspection, explain the various areas of the law affecting the business, complete an inspection report and discuss their findings with management. If non-compliance is observed, the inspector will give a set time for corrective measures to be taken. A follow-up inspection may be required. Where serious non-compliance is observed, management must take immediate corrective action or prepare a plan of action to resolve the non-compliance as rapidly as possible in order to reduce the threat of imminent hazard and avoid pos-

sible severe regulatory consequences. The benefits of compliance assistance include:

- Protecting workers and others from pesticide exposure
- Protecting the environment
- Promoting responsible pesticide use
- Avoiding potential violations

For more information on compliance assistance or to schedule an on-site inspection, contact: Patrick Jones, NCDA&CS Pesticide Section at (919)733-3556 or email: Patrick.Jones@ncagr.gov

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inconsistent with its labeling and applying restricted use pesticides without the proper license or certification. Mr. Jones agreed to pay a monetary penalty of \$600.00.

Don W. Bracy, Colerain, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling and applying a restricted use pesticide without the proper license or certification. Mr. Bracy agreed to pay a monetary penalty of \$350.00.

Warner B. Perry, Colerain, NC for alleged violation(s) of providing or making available restricted use pesticides to non-certified applicators. Mr. Perry agreed to pay a monetary penalty of \$1,200.00.

Floyd P. Barnes, Southport, NC for alleged violation(s) of engaging in the business of a pesticide applicator without a license. Mr. Barnes agreed to pay a monetary penalty of \$600.00.

James W. Boone, Jr., Roxobel, NC for alleged violation(s) of providing or making available a restricted use pesticide to a non-certified applicator. Mr. Boone agreed to pay a monetary penalty of \$800.00.

Henry C. Haddock, Salters, SC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling, aerially applying pesticides under conditions that drift from pesticide(s) particles or vapors result in adverse effect, and depositing pesticides within 100 feet of a residence. Mr. Haddock agreed to pay a monetary penalty of \$1,500.00.

Roy P. Perry, Charlotte, NC for alleged violation(s) of engaging in the business of a pesticide applicator without a license and

applying pesticides without a license. Mr. Perry agreed to pay a monetary penalty of \$900.00.

Timothy D. Whitfield, Fairfield, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling, aerially applying pesticides under conditions that drift from pesticide(s) particles or vapors result in adverse effect, depositing pesticides within 100 feet of a residence and within 25 feet of a public road. Mr. Whitfield agreed to pay a monetary penalty of \$800.00.

Melvin B. Adcock, Roxboro, NC for alleged violation(s) of the Worker Protection Standard and using a pesticide in a manner inconsistent with its labeling. Mr. Adcock agreed to pay a monetary penalty of \$1,000.00.

Breck J. Richardson, Asheboro, NC for alleged violation(s) of engaging in the business of a pesticide applicator without a license and applying pesticides without a license. Mr. Richardson agreed to pay a monetary penalty of \$750.00.

Gary T. Johnson, Roxobel, NC for alleged violation(s) of using a pesticide in a manner inconsistent with its labeling and applying restricted use pesticides without the proper license or certification. Mr. Johnson agreed to pay a monetary penalty of \$400.00.

Michael P. Hoskins, Apex, NC for alleged violation(s) of engaging in the business of a pesticide applicator without a license and applying pesticides without a license. Mr. Hoskins agreed to pay a monetary penalty of \$500.00.

Confusion from page 4

“Education Credits must be earned by :06/30/??” This change was made in hopes of clarifying the deadline for obtaining continuing education training.

Before ending, I would like to address two other issues that seem to give applicators problems. First, for all licensed applicators who work on a 5-year certification cycle, certification credits must be obtained in at least two years of the 5-year certification period. Additionally, applicators with multiple categories, certification credits for each license category must be spread out over at least two years. Second, when applicators add a category to an existing license, the certification period is not extended; applicators must earn the needed credits within their existing certification period.

If anyone has any questions, or need additional assistance, please call me or other pesticide staff members. We are always willing to help, and can be reached at (919)733-3556. Or visit our website at www.ncagr.com/pesticide

We want to hear from you!

Send your suggestions for topics for future Pesticide Update articles. Send suggestions to Cam McDonald at e-mail address: cam.mcdonald@ncmail.net

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: Pesticide Section, NCDA&CS,
1090 Mail Service Center, Raleigh, NC 27699-1090.
Phone (919) 733-3556

Private applicator recertification classes:

CONTACT: Pesticide Section Homepage www.ncagr.com/pesticide

Commercial applicator and dealer recertification classes:

CONTACT: Pesticide Section Homepage www.ncagr.com/pesticide

Pesticide container recycling:

CONTACT: Henry Wade, Pesticide Section, NCDA&CS, 1090 Mail Service Center,
Raleigh, NC 27699-1090.
Phone (919) 733-3556

Pesticide waste disposal:

CONTACT: Derrick Bell, Structural Pest and Pesticide Division, NCDA&CS,
1090 Mail Service Center, Raleigh, NC 27699-1090.
Phone (919) 733-7366 or (919) 715-9023.

Pesticide Section

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