

# ODA PESTICIDE BULLETIN

Issue XLIV

Spring 2014

Oregon Department of Agriculture Pesticides Program

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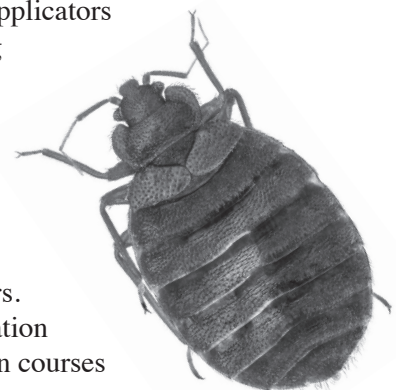
## INCREASING OUR EFFORTS AGAINST BED BUGS

The Oregon Department of Agriculture (ODA) recognizes the challenges in controlling bed bugs, and supports the need for well trained and knowledgeable licensed commercial pesticide applicators. ODA will work with and support educational efforts by the professional pest control industry and others.

ODA is developing a multifaceted approach to increase the knowledge and understanding of best management practices for treatment of bed bugs by licensed pesticide applicators, homeowners, and other applicators. This will be accomplished by:

- Developing a section on our website dedicated to bed bugs and providing links to resources and sites such as National Pesticide Information Center, Environmental Protection Agency, and Oregon State University (OSU).
- Developing outreach publications focusing on bed bug facts for homeowners, landlords/hotel managers, and licensed commercial/public pesticide applicators.
- Revising the pesticide applicator exams for IIHS-General Pest and Public Health by adding questions specific to bed bugs and bed bug control. Study materials also will be revised to reflect exam changes.
- Increasing coordination: ODA Pesticides Program Compliance and Enforcement staff will coordinate inspections with county public health programs and housing authorities to document pest control practices and provide resource information. Case review staff will continue to track complaints/investigations/violations related to bed bugs. Pesticides Program staff might use these cases when developing educational materials.
- ODA Pesticides Program staff continuing to engage and participate in dialogue and training on a national level.
- Working with statewide organizations including public health officials, OSU, and Oregon Pest Control Association (OPCA) to disseminate bed bug information, and increase the number of educational opportunities.

The OPCA also will increase efforts to ensure applicators are well trained in the latest methods of bed bug management by incorporating additional information in their training sessions. For example, it is considering having a more in-depth technical session on bed bugs this summer. OPCA also will expand bed bug information on their website for consumers, licensed applicators and non-licensed applicators. OPCA is in the process of serving as an information portal regarding the availability of recertification courses that may be of interest to the pest control industry.



## IS THE SITE LISTED ON THE LABEL?

Over the years, there have been enforcement actions because people apply pesticides to a site not listed on the label. The most prominent examples include the use of Furadan and Basagran on onions, but there are other instances. Recently, there have been issues because of off-label timing and application methods, use of incorrect rates, and applications being made to non-labeled sites.

There are many conditions that need to be met before EPA or ODA will allow the use of a pesticide on the crop. These include:

- A pesticide residue tolerance must be established by EPA if the pesticide will be used on a food/feed crop. In the case of Furadan and Basagran, there were no tolerances on onions, and therefore onions were not listed as a crop on the label.
- Product must be proven to be effective and not be harmful to the crop. For example, non-dormant pears particularly are highly sensitive to Sureguard or Chateau (a.i. flumioxazin), and therefore not a labeled crop.
- Product must not be harmful to people and non-target organisms (birds, pollinators, etc.), or pollute the environment, including waterways.

If a product might be harmful, then specific restrictions to reduce risk are placed on the label. This is another reason that pesticide use directions, including restrictions, are provided for specific crops and use sites.

For example, when EPA evaluates human health risks, they may approve a certain type of use pattern inside homes, and not others; such as allowing crack and crevice treatment, but not broadcast use.

To reduce risks to geese from zinc phosphide exposure in grass grown for seed, ODA allows above-ground use after the migrating geese have left the Willamette Valley, on SLN labels.

Sometimes a pesticide's risk cannot be adequately reduced with label restrictions, and therefore the use is not allowed. This would be the case for above-ground broadcast use of anti-coagulant rodenticides in grass grown for seed. Raptors are susceptible to secondary poisoning, which occurs when they eat rodents that previously consumed anti-coagulants. Currently in the Willamette Valley, there are many overwintering raptors and resident raptors. Young nestlings are particularly vulnerable to secondary poisoning, and early March is the start of the nesting period for many of these raptors.

Therefore, use inconsistent with the label is not only a violation of the law, but could pose harm to human health, non-target organisms and the environmental; or result in illegal pesticide residues on food/feed crops. When pesticides are used illegally, the use and availability of these important tools are in jeopardy. Do not apply pesticides based on rumor that the use has been recently granted. Always read and follow the label!

## DO YOU KNOW ABOUT PARC?

Have you heard of PARC? It is the Pesticide Analytical Response Center, and it was created by the Oregon State Legislature in 1978. PARC's functions include: acting as a central location to receive information about actual or alleged health and environmental incidents involving pesticides; mobilizing experts to conduct investigations and analyze samples; and identifying trends and patterns associated with pesticide use. PARC may make recommendations to either state agencies or the state legislature based upon the trends or patterns identified.

PARC's purpose is to coordinate how the state of Oregon investigates pesticide incidents that may affect people, animals, or the environment. This coordination is done between the following eight member state agencies: Oregon Department of Agriculture, Oregon Department of Forestry, Oregon Health Authority, Oregon Department of Fish & Wildlife, Oregon Department of Environmental Quality, Oregon Occupational Safety and Health Division, Oregon Poison Center, and the Office of the State Fire Marshal. PARC also has toxicology consultants at its disposal at

Oregon Health Sciences University and Oregon State University.

People call PARC for a variety of reasons. People who may have been exposed to pesticides in the workplace have called PARC. Others, who thought their neighbor applied pesticides that drifted onto their land causing damage have called PARC. Some people have called PARC because they think their health has been affected by aerially-applied pesticides.

Whatever the reason, PARC member agencies can mobilize the expertise necessary to conduct an investigation concerning pesticide use allegations. If you or someone you know may have been adversely affected by pesticides, call PARC at (503) 986-6470.

The PARC Board meets every other month. Meeting materials, including audio recordings, are available on PARC's website, [oregon.gov/ODA/PEST/Pages/parc.aspx](http://oregon.gov/ODA/PEST/Pages/parc.aspx), along with additional pesticide related information.

## EPA'S NEW PESTICIDE APPLICATOR CERTIFICATION PLAN FOR INDIAN COUNTRY

The U.S. Environmental Protection Agency (EPA) has a new plan in place to certify applicators of restricted use pesticides (RUPs) in Indian country. RUPs are potentially hazardous chemicals that require special training and techniques to be used safely.

To ensure the safe handling of hazardous pesticides, federal law requires EPA to approve the certification of all RUP applicators, including those who work in Indian country. Although states employ their own programs, most of Indian country was not covered by a certification mechanism. To fill this gap, EPA issued a Federal Plan for Certification of Applicators of Restricted Use Pesticides within Indian Country. This plan protects human health and the environment within the boundaries of Indian reservations by ensuring that all RUP applicators are certified and trained to apply pesticides safely. Applying RUPs under the direct supervision of a certified applicator also is allowed under the new program.

Private applicators can become certified either by applying directly to EPA by showing proof of online training or by providing a copy of a valid state, tribal or federal certification from an area that is contiguous with the reservation boundary. Commercial applicators can provide a copy of a valid state, tribal, or federal certification from an area that is contiguous with the reservation boundary.

An applicator can download a fillable application form or learn more by visiting [www2.epa.gov/pesticide-applicator-certification-indian-country](http://www2.epa.gov/pesticide-applicator-certification-indian-country).

For information, email [R10cert@epa.gov](mailto:R10cert@epa.gov), or call Juliann Barta, U.S. EPA Region 10, (206) 553-1495 or Derrick Terada, U.S. EPA Region 10, (206) 553-4768.

## CATCH MY DRIFT? SOME COMMON MISCONCEPTIONS

Drift, off-site deposition, or whatever you call it, is bad news. However, there are a few points that sometimes are overlooked or dismissed. Here are examples of dangerous misconceptions:

### **“Drift only matters when you are spraying herbicides.”**

Off-target movement of insecticides, fungicides, etc., might not visibly damage crops the same way as herbicides, but they can kill bees, make crops unsalable, adversely affect human health or the environment, or otherwise inspire people to contact ODA. A sure way to destroy the value of a crop is to have a pesticide detected for which there is no residue tolerance. There essentially is zero tolerance for inappropriate pesticides on food crops, and the Department has required such crops to be destroyed. The litigation that follows can make enforcement action by ODA seem insignificant.

### **“No wind conditions are good for spraying.”**

We have heard this misconception even out of the mouths of experts, who, to be fair, will qualify it when asked or reminded about temperature inversions. Inversions occur when air layers are inverted, such that cool air is below a layer of warm air. They can be detected by smoke flattening and spreading horizontally instead of going straight up, or by the presence of ground fog. If you are near a sensitive site, inversions or calm conditions are not good for spraying. What is “near” will depend on circumstances. The point to remember is calm conditions inhibit deposition of spray. Such spray tends to hang suspended, and then ultimately goes whichever way subsequent light unpredictable winds take it. The best spray conditions are steady light winds (labels often recommend about 2 to 10 miles per hour) in a favorable direction.

### **“Don’t tell your neighbors about your spraying plans, they will just make trouble.”**

This assumption can go wrong when a neighbor gets upset about not being told, and thus is more likely to complain. It generally is a good idea to keep neighbors informed, although how broadly you cast your notification depends on many factors. Generally it is good to sound out people. Most will appreciate that you care and will tell you they do not need special notices. If you have a sensitive neighbor, when would you want to find out? It is true that some neighbors are not trusted by applicators with this information, but the initial failure to communicate often is what creates these apparently untrustworthy neighbors. This can be a difficult question, but we know when a neighbor develops a habit of complaining, ODA ends up investigating a lot of allegations, and sometimes finds problems or violations outside the scope of the complaint. (That can be a good thing, and we appreciate the information that complainants bring to us about potential pesticide misuse, but if you are reading this you are probably not someone who needs that sort of attention.)

## CHANGES PROPOSED TO THE WORKER PROTECTION STANDARD

The U.S. Environmental Protection Agency (EPA) is seeking comments about proposed changes to the Worker Protection Standard (WPS). Some of the proposed changes are significant, and your comments will help EPA determine the final version of this regulation.

According to EPA, these proposed changes reflect current research about how to reduce pesticide exposure to agricultural workers and pesticide handlers. The changes were announced in the Federal Register on March 19, and comments must be received on or before June 17.

Changes include, but are not limited to:

- A new, no-entry 25-100 foot buffer surrounding pesticide-treated areas.
- Annual mandatory trainings, instead of once every five years.
- Expanded mandatory posting of no-entry signs for the most hazardous pesticides.
- First-time minimum age requirement: Children younger than 16 will be prohibited from handling pesticides, with an exemption for family farms.
- For two years after the pesticide application, employers would be required to maintain a copy of pesticide labeling, application records, and Safety Data Sheet, as well as the information currently required under the WPS.
- Eliminating the central posting requirement.

For information, including how to comment, go to [www.epa.gov/oppfead1/safety/workers/proposed/index.html](http://www.epa.gov/oppfead1/safety/workers/proposed/index.html).

## PESTICIDE RECERTIFICATION HISTORY REQUESTS

If you think your recertification class history report is incorrect or is missing information, you can request a review of the report.

Requests for review, however, only can be for the previous season's classes. The request for review of classes from Oct. 1, 2012 — Oct. 1, 2013, closed Jan. 30, 2014. No more requests for review of classes from that time period are being accepted. We are accepting record review requests for classes that took place after Oct. 1, 2013.

## GOOSE DEATHS PROMPT REMINDER ABOUT ZINC PHOSPHIDE USE

In mid-March, ODA was notified by the Oregon Department of Fish and Wildlife (ODFW) of a goose kill in the Willamette Valley.

Twenty-two geese were found dead in a small lake. Several days after the first notification, ODA was notified about a possibly related second incident involving three geese. The initial necropsy results suggested possible zinc phosphide poisoning. Samples were submitted to the lab, and came back positive. The incidents are being investigated. It is not known where the geese may have been exposed to zinc phosphide.

Late winter and early spring is prime time for geese to migrate north through the Willamette Valley. Therefore, geese suddenly might appear in fields.

The main container label allows early season above-ground zinc phosphide use on different crops. However, grass seed fields are attractive to geese, and therefore the use period is highly restricted.

In accordance with the SLN labels, also called 24(c)s, above-ground use of zinc phosphide in grass grown for seed is allowed in early May (the exact date varies) through Aug. 30. To protect geese, ODA consults annually with ODFW and USFW to determine the start date for above-ground applications on grass grown for seed.

Revised labels will be posted on PICOL, <http://picolsln.wsu.edu/default.aspx>, and on the ODA website, [oregon.gov/ODA/PEST/Pages/index.aspx](http://oregon.gov/ODA/PEST/Pages/index.aspx).

### BELOW-GROUND USE

Below ground use of zinc phosphide is allowed year-round. Zinc phosphide products labeled for below-ground use in grass grown for seed are:

- (1) Bell/ZP Rodent Bait Ag (EPA Reg No. 12455-17), EPA SLN No. OR-050031
- (2) Motomco/ZP Ag Pellets (EPA Reg No. 12455-17-3240), EPA SLN No. OR-050031
- (3) HACCO/Prozap Zinc Phosphide Pellets (EPA Reg No. 31282-49), EPA SLN No. OR-050032

When instructing workers on how to conduct below-ground applications, or making them yourself, precision must be stressed. All the bait must go down the hole. Do not allow bait to spill onto the soil surface — this would be a label violation and could lead to geese having access to bait.

A copy of the SLN label must be in the applicator's possession. Label restrictions include:

### ZINC PHOSPHIDE

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## ZINC PHOSPHIDE

Continued from Page 4

- Do not allow bait to be exposed on bare ground.
- Do not allow pellets to be placed above ground during the application.
- Applications must be made in a manner that does not allow access to zinc phosphide pellets by non-target animals (geese, dogs, etc.).

To reduce confusion, SLN labels which allow for above-ground applications on grass grown for seed, have different SLN numbers than labels which only allow for below-ground applications. Be certain that your proposed use is allowed by the label.

For registration questions, contact Rose Kachadoorian at rkachadoorian@oda.state.or.us. For enforcement questions, contact Mike Odenthal at modenthal@oda.state.or.us or (503) 986-4635.

## SECTION 18 EXEMPTIONS

There are three active Section 18 emergency exemptions for honeybees and grass grown for seed. They are:

1. Puma 1EC for the control of grass weeds in grass grown for seed. Use of the product is valid until Sept. 15, 2014.
2. Tacoma 1EC for the control of grass weeds in grass grown for seed. Use of this product is valid until Sept.15, 2014.
3. HopGuard for the control of varroa mites in honeybees. The use of this product is valid until Dec. 31, 2014.

The Section 18 labels can be viewed and printed at [oregon.gov/ODA/PEST/pages/sec18.aspx](http://oregon.gov/ODA/PEST/pages/sec18.aspx)

## FIFRA SECTION 24(C) SPECIAL LOCAL NEED (SLN) PESTICIDE REGISTRATIONS

Activities from Oct. 1, 2013 – Feb. 28, 2014

| GRANTED                                 |   |                             |                          |              |            |
|---|---|-----------------------------|--------------------------|--------------|------------|
| Product                                 | Crop                                      | Pest                        | Registrant               | EPA Reg #    | OR SLN #   |
| Reflex Herbicide                        | potatoes                                  | yellow nutsedge, nightshade | Syngenta Crop Protection | 100-993      | OR-140001  |
| Asulox                                  | alfalfa grown for seed                    | weeds                       | United Phosphorus        | 70506-139    | OR-140002  |
| Prozap Zinc Phosphide Rodent Pellets AG | grape vineyards                           | voles, mice                 | HAACO, Inc.              | 61282-56     | OR-130007  |
| Lock Out                                | Christmas tree plantations, landing areas | snails and slugs            | OR-Cal/Wilbur-Ellis      | 71096-3-2935 | OR-110016d |

| PENDING                    |   |                                    |                    |           |          |
|----------------------------|---|------------------------------------|--------------------|-----------|----------|
| Product                    | Crop  | Pest                               | Registrant         | EPA Reg # | OR SLN # |
| Linex 4L Herbicide         | potatoes  | pigweed, lambsquarters, nightshade | Tessenderlo Kerley | 61842-21  |          |
| Deadline M-Ps Mini Pellets | clover grown for seed and small seeded vegetables | snails and slugs                   | AMVAC              | 5481-507  |          |

| CANCELED                        |   |                                      |                                |               |            |   |
|---------------------------------|---|--------------------------------------|--------------------------------|---------------|------------|---|
| Product                         | Crop  | Pest                                 | Registrant                     | EPA Reg #     | OR SLN #   | Cancel Reason   |
| Evito 180 SC                    | potatoes                                      | black scurf, silver scurf, black dot | Arysta                         | 66330-64      | OR-080034  | cancelled by registrant — use included on regular label |
| Bird Shield Repellant           | grass grown for seed and clover               | geese, birds                         | Bird Shield Repellent Corp.    | 66550-1       | OR-100007  | not registered  |
| Blue Bombshell Metaldehyde Bait | Christmas tree plantations, landing areas     | snails and slugs                     | OR-Cal/Wilbur-Ellis            | 71096-13-2935 | OR-110016b | Use now on SLN OR-110016d                               |
| Mocap EC Nematicide-Insecticide | snap beans                                    | symphyllans and nematodes            | Bayer CropScience              | 264-458       | OR-060010  | Use now on SLN OR-120004                                |
| Mocap EC Nematicide-Insecticide | sugar beets grown for seed                    | symphyllans                          | Bayer CropScience              | 264-458       | OR-060024  | Use now on SLN OR-120006                                |
| Mocap EC Nematicide-Insecticide | Easter lily                                   | nematodes                            | Bayer CropScience              | 264-458       | OR-090003  | Use now on SLN OR-120005                                |
| Axiom DF                        | annual ryegrass grown for seed                | grassy weeds                         | Bayer CropScience              | 264-766       | OR-080027  | Use now on main label                                   |
| Warrior with Zeon Technology    | carrot, dill, parsley, parsnip grown for seed | lygus bug                            | Syngenta Crop Protection, Inc. | 100-1112      | OR-030002  | Use now on SLN OR-090017                                |

# PESTICIDE VIOLATIONS

## Notices of Violation Issued

| Party Cited  | Violation*          |
|--|---------------------|
| A-1 Lawn and Grounds Maintenance, Inc.               | ORS 634.372(9)      |
| Alvarez, Dario                                       | ORS 634.372(8)      |
| Dan M. Sale dba All About Ants Pest Control          | ORS 634.372(9)      |
| Deahl, Robert A.                                     | ORS 634.372(4)      |
| Ditchen, Duane C.                                    | ORS 634.372(4)      |
| Golden Valley Farms LLC                              | ORS 634.372(4)      |
| Gonzalez, Aaron                                      | ORS 634.372(8)      |
| Hewett, Ralph L.                                     | ORS 634.372(4)      |
| Holmes, Michale                                      | ORS 634.372(8)      |
| Jim Poeske, Inc. dba Little River Design             | ORS 634.372(9)      |
| Landscapes Northwest and Back Flow                   | ORS 634.372(5)      |
| Poeske, Jim  | ORS 634.372(8)      |
| Santos, Rojelio                                      | ORS 634.372(8)      |
| Scappoose Drainage Improvement Company               | ORS 634.372(4)      |
| TruGreen LandCare LLC                                | ORS 634.372(5)      |
| Vazquez, Macario                                     | ORS 634.372(8)      |
| Easton, Inc. dba Easton Pest Management              | ORS 634.372(9)      |
| Easton, Guy R.                                       | ORS 634.372(8)      |
| JM Vinegrower LLC                                    | ORS 634.372(9)      |
| Marin, Javier  | ORS 634.372(8)      |
| All About Ants Pest Control                          | ORS 634.372(9)      |
| Nelson, Greg M.                                      | ORS 634.372(8)      |
| Advanced Green Pest Solutions, LLC                   | ORS 634.372(9), (5) |
| Read, John P.  | ORS 634.372(8)      |
| Castro, Robert III                                   | ORS 634.372(8)      |
| Cornejo, Juan  | ORS 634.372(8)      |
| Gomez, Humberto                                      | ORS 634.372(8)      |
| Columbia Basin Helicopter, Inc.                      | ORS 634.372(2)      |
| Parsons, Shannon C.                                  | ORS 634.372(2)      |
| Cascades Natives, Inc.                               | ORS 634.372(4)      |
| Troxel, Dwayne D.                                    | ORS 634.372(4)      |
| Crop Production Services, Inc.                       | ORS 634.372(17)     |
| TruGreen Limited Partnership dba TruGreen LawnCare   | ORS 634.372(5)      |
| Broughton, James H.                                  | ORS 634.372(4)      |
| Rasmussen Spray Service, Inc.                        | ORS 634.372(4)      |
| Imlah, Brian J.                                      | ORS 634.372(4)      |
| Grounds Northwest LLC                                | ORS 634.372(4)      |
| Houchin, Michael C.                                  | ORS 634.372(4)      |
| Johnston, John D.                                    | ORS 634.372(2), (5) |
| H. Merrill Osborne dba Central Oregon Rodent Control | ORS 634.372(9)      |
| Osborne, Matthew                                     | ORS 634.372(8)      |
| Jeremiah Nelson dba Nelson Landscaping & Maintenance | ORS 634.372(9)      |

## Civil Penalties Issued

| Party Cited               | Violation*     | Amount     |
|---------------------------|----------------|------------|
| Imlah, John L.            | ORS 634.372(4) | \$555.00   |
| Precision AG Incorporated | ORS 634.372(4) | \$204.00   |
| Reynolds, Mark D.         | ORS 634.372(4) | \$204.00   |
| TruGreen LandCare LLC     | ORS 634.372(9) | \$962.00   |
| Kinnaman, John M.         | ORS 634.372(2) | \$407.00   |
| Grass Master, Inc.        | ORS 634.372(9) | \$666.00   |
| Troyer, Clinton           | ORS 634.372(8) | \$1,554.00 |

**\*Pesticide Violations:**

- *ORS 634.372(2) - As a pesticide applicator or operator, intentionally or willfully apply or use a worthless pesticide or any pesticide inconsistent with its labeling, or as a pesticide consultant or dealer, recommend or distribute such pesticides.*
- *ORS 634.372(3) - Operate a faulty or unsafe pesticide spray apparatus, aircraft or other application device or equipment.*
- *ORS 634.372(4) - Perform pesticide application activities in a faulty, careless or negligent manner.*
- *ORS 634.372(5) - Refuse or neglect to prepare and maintain records required to be kept by the provisions of this chapter.*
- *ORS 634.372(8) As a pesticide applicator, work or engage in the application of any classes of pesticides without first obtaining and maintaining a pesticide applicator's license, or apply pesticides that are not specifically authorized by such license.*
- *ORS 634.372(9) As a pesticide operator, engage in the business of, or represent or advertise as being in the business of, applying pesticides upon the land or property of another, without first obtaining and maintaining a pesticide operator's license. The operator also may not engage in a class of pesticide application business that is not specifically authorized by license issued by the State Department of Agriculture. The operator also may not employ or use any person to apply or spray pesticides who is not a licensed pesticide applicator or pesticide trainee.*
- *ORS 634.372(17) - Formulate, deliver, sell or offer for sale any pesticide that has not been registered as required by ORS 634.016*

*Note: "The Notices of Violation and Civil Penalties listed above have been confirmed as or followed by Final Orders."*

## INSURANCE REMINDER FOR COMMERCIAL OPERATORS

For our Commercial Operators: It's helpful if you can provide ODA with an updated insurance certificate for your insurance requirement before your existing policy lapses.

Getting updated insurance information to us as early as possible will assure that your Operator's license does not become inactive. ODA's Self-Certification Insurance Certificate can be found on the ODA website under the Publications and Form section.

## APPRENTICE LICENSE INFORMATION

A person can apply for a Pesticide Apprentice License after successfully passing the Laws & Safety exam. A licensed Pesticide Apprentice must be supervised by a fully licensed Commercial or Public Pesticide Applicator, and **only** can make pesticide applications within the same license categories as his or her supervisor.

The Pesticide Apprentice license is valid for up to one (1) year, and expires on Dec. 31 each year. The Pesticide Apprentice license may be renewed each year. In order to renew a Pesticide Apprentice license, a person must complete eight (8) hours of recertification credit hours each year — and four (4) of the eight (8) hours must be ‘Core’ credit hours.

The recertification credit hours must be completed each year, even if the Pesticide Apprentice license was applied for and issued late in the calendar year. If a Pesticide Apprentice does not complete the required recertification credits by Dec. 31 of the license period, he or she will need to retake and pass the Laws & Safety exam in order to renew the Pesticide Apprentice license. The renewal requirements are for anyone who plans on renewing a Pesticide Apprentice license.

More information on the Pesticide Apprentice license can be found in ODA’s new Pesticide Apprentice Responsibilities brochure that is available in the Publications and Forms section of ODA’s Pesticide Program website.

## FERTILIZER VIOLATIONS

### Notices of Violation Issued

| Party Cited                                | Violation*             |
|--|------------------------|
| Al’s Garden Center                         | ORS 633.366(1)(a)      |
| Barenbrug U.S.A., Inc.                     | ORS 633.366(1)(a)      |
| Cedar Grove Composting                     | ORS 633.366(1)(a)      |
| Diamond K Gypsum                           | ORS 633.366(1)(a)      |
| ENCAP, LLC                                 | ORS 633.366(1)(e)      |
| Espoma Company                             | ORS 633.366(1)(a)      |
| Field 16, LLC                              | ORS 633.366(1)(e)      |
| Geoglobal Partners                         | ORS 633.366(1)(e)      |
| Home Depot U.S.A., Inc.                    | ORS 633.366(1)(e)      |
| Howard Johnson’s Enterprises, Inc.         | ORS 633.366(1)(e)      |
| KWS Distributing, LLC                      | ORS 633.366(1)(a), (e) |
| Nickel City Wholesale Garden Supply        | ORS 633.366(1)(e)      |
| Novozymes North America, Inc.              | ORS 633.366(1)(a)      |
| Sun Gro Horticulture Distribution, Inc.    | ORS 633.366(1)(a)      |
| U.S. Rare Earth Minerals, Inc.             | ORS 633.366(1)(a)      |
| Voluntary Purchasing Group                 | ORS 633.366(1)(e)      |
| Wal-Mart Stores Inc.                       | ORS 633.366(1)(e)      |
| Waupaca Northwoods, LLC                    | ORS 633.366(1)(a), (e) |
| Country Stone, Inc.                        | ORS 633.366(1)(a), (e) |
| Graymont Western US, Inc.                  | ORS 633.366(1)(a), (e) |
| Green Planet Wholesale (HIT Manufacturing) | ORS 633.366(1)(a), (e) |
| Haifa North America, Inc.                  | ORS 633.366(1)(a), (e) |
| Nursery Connection, LLC                    | ORS 633.366(1)(a), (e) |
| Plant Health, LLC                          | ORS 633.366(1)(e)      |
| Plant Marvel Laboratories, Inc.            | ORS 633.366(1)(a), (e) |
| Sun Bulb Company, Inc.                     | ORS 633.366(1)(a)      |
| Sylvite Sales (USA), Inc.                  | ORS 633.366(1)(e)      |
| Two Rivers Terminal, LLC                   | ORS 633.366(1)(a)      |
| Zamzow’s, Inc.                             | ORS 633.366(1)(a), (e) |

### Civil Penalties Issued

| Party Cited                      | Violation*        | Amount   |
|----------------------------------|-------------------|----------|
| Concentrates, Inc.               | ORS 633.366(1)(j) | \$4,000  |
| Down to Earth Distributors, Inc. | ORS 633.366(1)(a) | \$125    |
| Easy Gardener Products, Inc.     | ORS 633.366(1)(e) | \$125    |
| Transloc Technologies Pty. Ltd.  | ORS 633.366(1)(a) | \$375    |
| Transloc Technologies Pty. Ltd.  | ORS 633.366(1)(c) | \$250    |
| Wilbur-Ellis Company             | ORS 633.366(1)(e) | \$875    |
| Wilbur-Ellis Company             | ORS 633.366(1)(a) | \$1,500  |
| Worm’s Way, Inc. (dba BWGS)      | ORS 633.366(1)(e) | \$28,125 |
| X-Seed, Inc.                     | ORS 633.366(1)(e) | \$125    |
| Humboldt Wholesale, Inc.         | ORS 633.366(1)(e) | \$125    |
| Oregon Vineyard Supply Co.       | ORS 633.366(1)(e) | \$1,000  |
| Oregon Vineyard Supply Co.       | ORS 633.366(1)(j) | \$500    |
| Sure Growth Distributing, Inc.   | ORS 633.366(1)(e) | \$125    |
| Terra Tech, LLC                  | ORS 633.366(1)(j) | \$500    |
| Two Rivers Terminal, LLC         | ORS 633.366(1)(e) | \$375    |

**\*Fertilizer Violations:**

- ORS 633.366(1)(a) Distribute mislabeled products.
- ORS 633.366(1)(c) Distribute adulterated products.
- ORS 633.366(1)(e) Distribute a fertilizer, agricultural amendment, agricultural mineral or lime product that is not registered with the State Department of Agriculture under ORS 633.362.
- ORS 633.366(1)(j) Distribute, use or remove any product subjected to a stop sale, use or removal order until the product has been released in accordance with ORS 633.445

*Note: “The Notices of Violation and Civil Penalties listed above have been confirmed as or followed by Final Orders.”*



**ODA Pesticide Bulletin**  
Pesticides Program

**Oregon**  
Department  
of Agriculture

635 Capitol Street N.E.  
Salem, OR 97301-2532

- Web page: <http://oregon.gov/ODA/PEST>
- Phone: (503) 986-4635
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