Trees, Pesticides, and Pollinators

Preserve, Prevent, and Protect

New Mexico Department of Agriculture

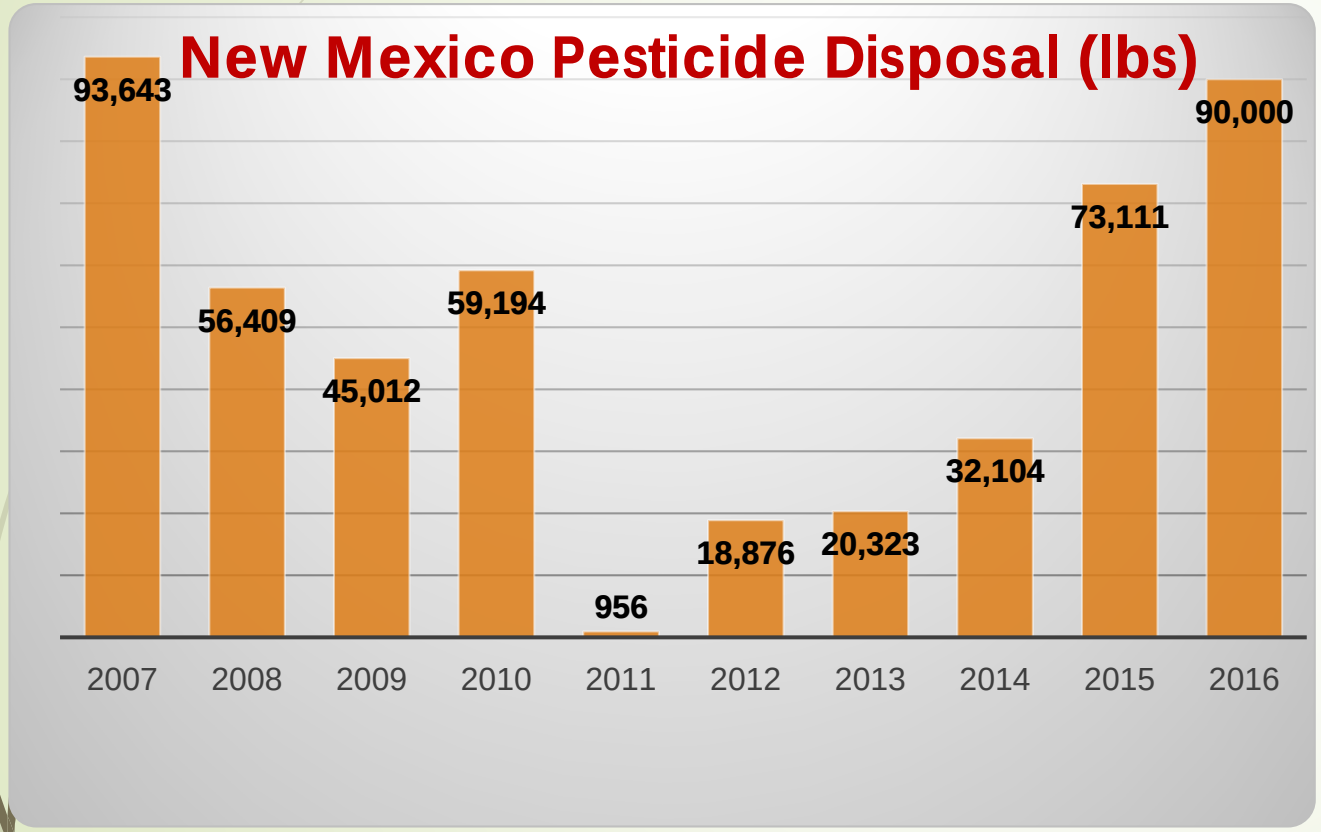
New Mexico Department of Agriculture

- **We would rather**
  - **Preserve than ‘Pine’…for Trees**
  - **Prevent Problems than Prohibit…Pesticides**
  - **Protect rather than Put an end to…Pollinators**

Pesticide License Renewals

- **Mailed out in October**
- **Post marked by December 31, 2016 no double fee**
- **January 1 – January 31 double fees apply – HURRY!!!**
- **If you did not receive your CEU's by December 31, 2016 you must retest to obtain your license**
- **February 1 – applicator must retest to obtain license**

Pesticide Disposal Program 2017



New company:
Stericyle Environmental Solutions

2017 Dates:
October 10th and 12th, 2017
locations to be determined

Thank you to all for the continued participation!

Drift

- Case Investigations for 2016 = 44
- 26 drift related cases

Only **You** Can Prevent Drift

- Have you fully read the product label?
- You should perform assessment of treatment areas for potential troublesome areas.
  - Are there sensitive off target areas near you?
- What's the weather forecast? Did you check it again right before the application?
  - How are the actual current conditions on your site?
- Do you have the right equipment with the right settings?
  - What is your sprayer height?
  - What kind of nozzles are you using? Are nozzles the best fit for application?
- Have you kept up with the latest technology pertaining to equipment?

DON'T DISMISS THE IMPORTANCE OF A WELL-TRAINED PESTICIDE APPLICATOR!!! – YOU!

Federal Updates

Worker Protection Standard (WPS)

PERC Pesticide Educational Resources Collaborative

Goals of the Revised WPS

- **Reduce acute occupational pesticide exposures and incidents and improve protections**
- **Reorganize and streamline the rule**
- **Address concerns related to 1992 WPS**

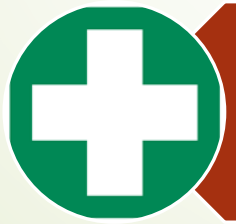
Principles of the Worker Protection Standard

Inform

- about pesticide safety

Protect

- from potential pesticide exposure



Mitigate

- pesticide exposures when they do occur

New Provisions for Pesticide Safety Training

Record now required
Keep for 2 years

Worker training some expansion of info

Emphasis on hazards to pregnant women and small children

Handler training some expansion of info

Annual Training

No Grace Period

Changes to Who Can Provide Training of Handlers or Workers?

Trainers who have completed an EPA approved train-the-trainer program, or

A trainer designated by a State/Tribe/EPA

Training Materials EPA Approved

Certified applicators, or

Trainer has to be present throughout training

Posted Safety Information

- SDS for all pesticides applied must be kept in a location accessible to workers and handlers

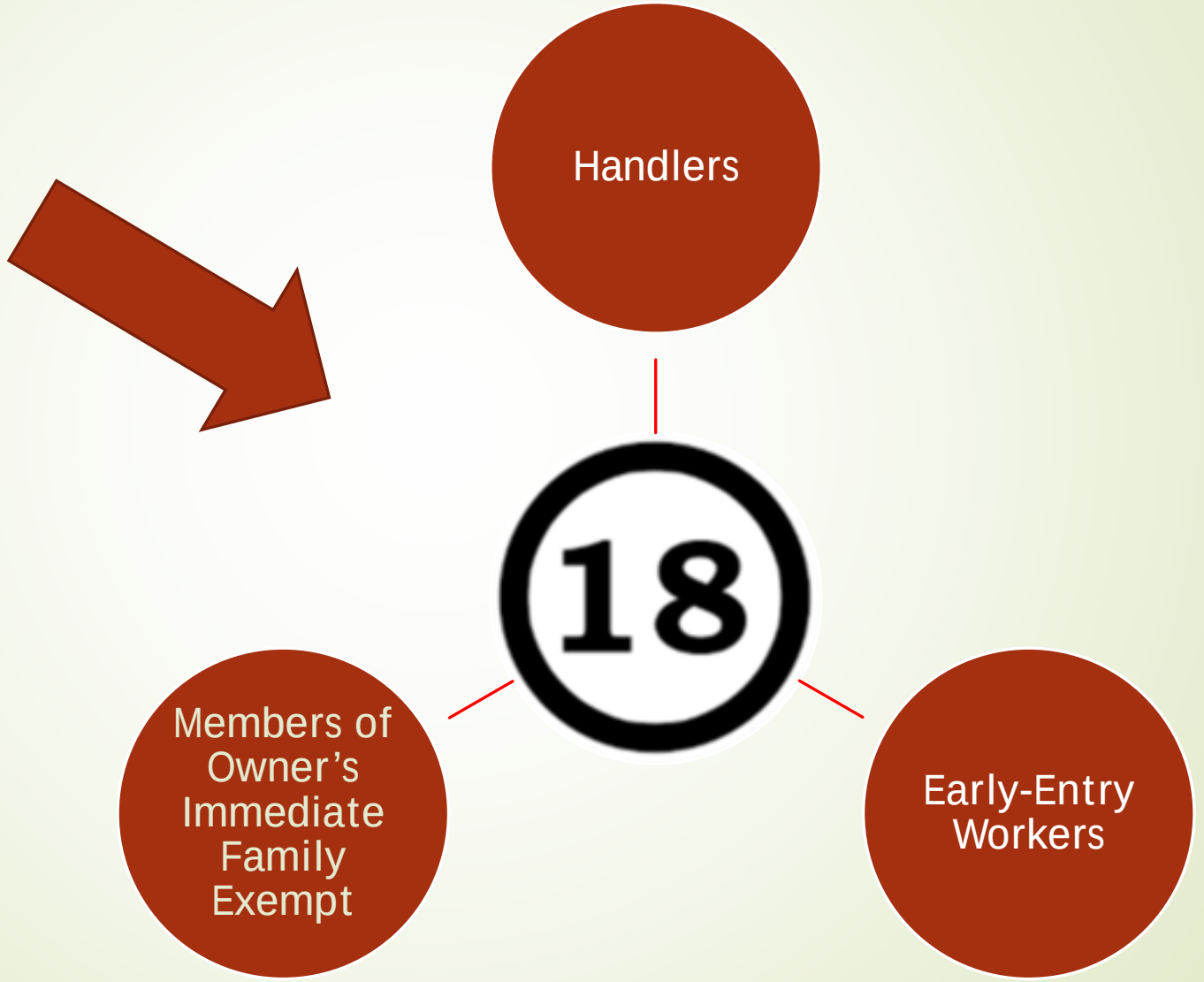
Pesticide Recordkeeping

- Facilities must now keep
  - pesticide application records
  - SDS
  - training records
  - **Maintain for two years**
- Workers/Handlers must be able to obtain information about pesticide applications and SDS sheets that occurred when they are/were employed
- Worker/Handler may also designate a person in writing to have access to this information

Pesticide Application Posting

- Outdoor Applications
  - REI Greater than 48 hours
- Enclosed Space Application
  - REI Greater than 4 hours

Now a Minimum Age



NEW - Application Exclusion Zone

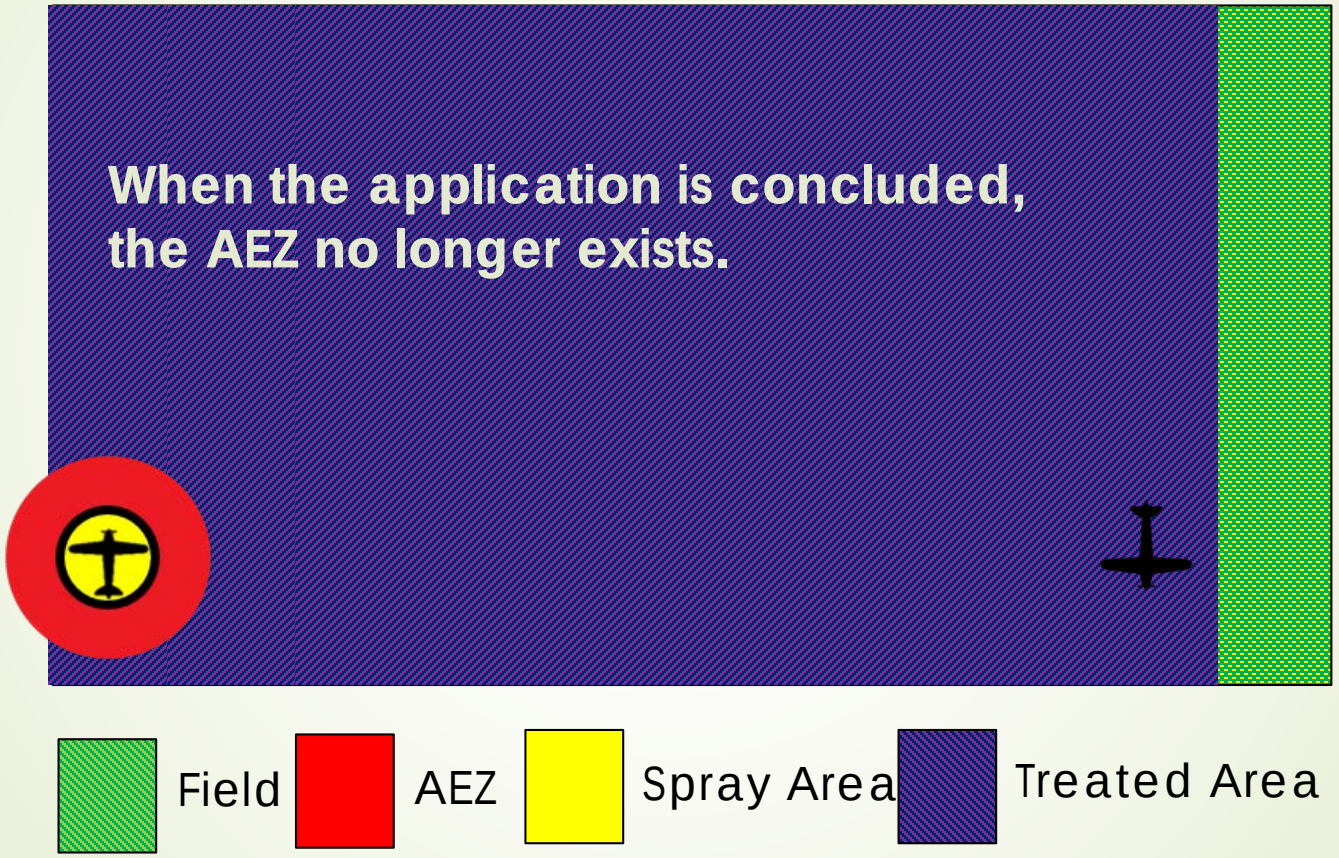
Employers are responsible to keep workers and other people out of the AEZ on their own property

Applicators must suspend application whenever someone who is not involved in the application enters the AEZ

0, 25, or 100 feet

Moves with application

Application Exclusion Zones in Outdoor Production

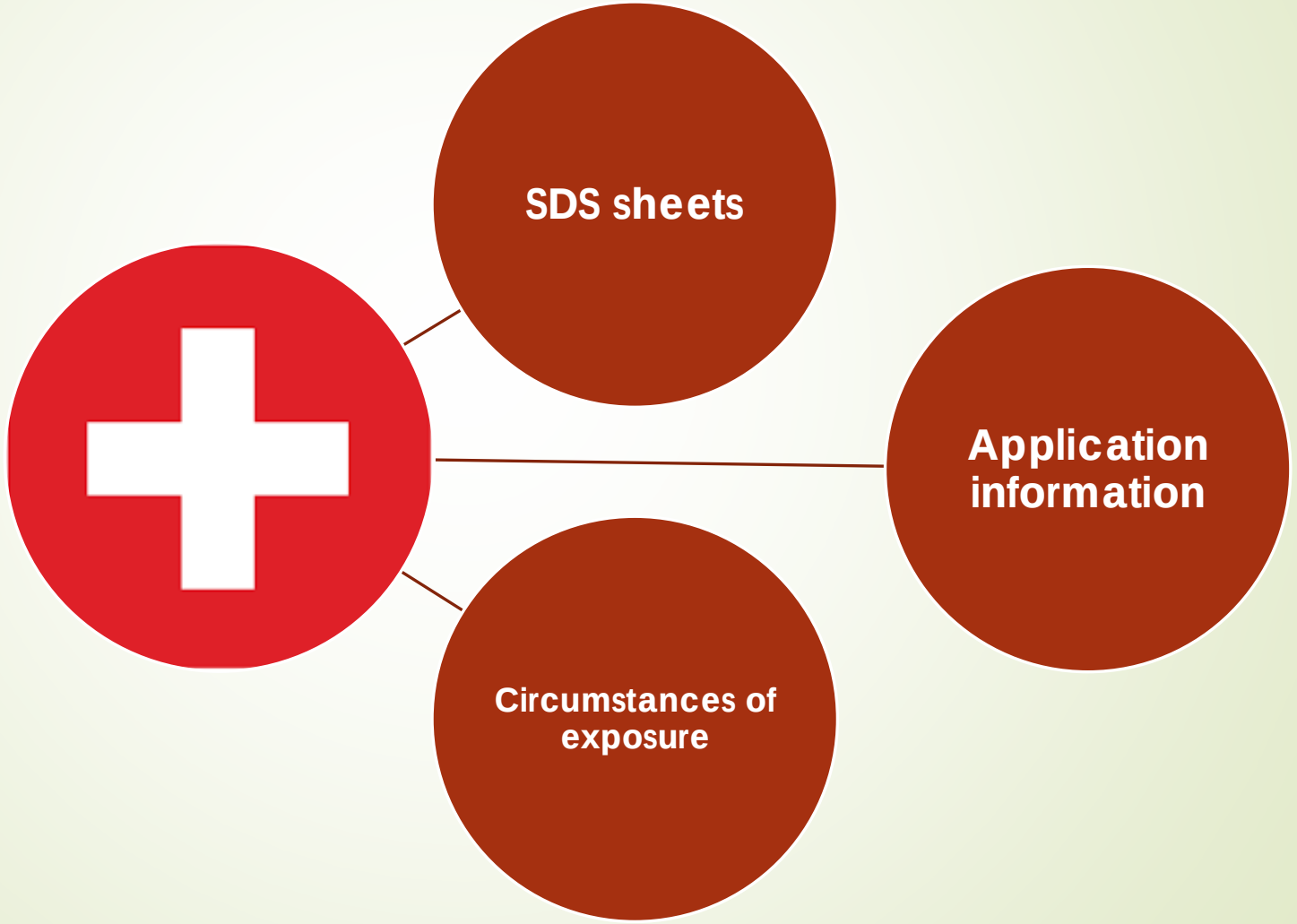


OSHA Compliant Respiratory Protection Required

Decontamination Supplies

- **Specific requirements for Water for Decontamination:**
  - **1 gallon per worker**
  - **3 gallons per handler or early-entry worker;**
  - **Measured at the beginning of the work period**
- **If handler is mixing/loading a product that requires eye protection, eyeflush water must be immediately available at the mix/load site for handler eye flushing**
- **If applicator is using a product that requires eye protection, one pint of water must be immediately available to each applicator**

Information to Medical Personnel



Implementation Timeline

9/28/2015
Revised WPS final rule signed

11/2/2015

Revised WPS final rule published in the Federal Register.

1/2/2017
Compliance Required with Most Revised WPS Requirements Except:

- New content in Worker and Hander Training
- New content in Pesticide Safety Information Display
- Responsibility for Handlers related to the Application Exclusion Zone

1/1/2018
Compliance Required with All WPS Requirements

Resources

- **www2.epa.gov/pesticide-worker-safety**
- **www.pesticideresources.org**

PERC Pesticide Educational Resources Collaborative

Federal Certification and Training Rule Changes

- **Focus of revision is to “ensure Certified Applicators and Non-Certified Applicators under their Direct Supervision are competent to use Restricted Use Pesticides in a manner that will not cause unreasonable adverse effects to human health or the environment.”**

What did EPA change?

- **Changes to testing requirements – Private and Commercial**
  - **Identification, Proctored,**
- **Minimum Age – 18 any certified applicator, 18 for noncertified except 16 for immediate family member**
- **New Categories**
- **Limited Use Category**
- **Continuing Education – more specific**

What did EPA change?

- **Provisions for Non-Certified Applicators (no license)**
  - **Training and who can train**
  - **Direct Supervision specified**
- **Recordkeeping**
  - **Applicators and Dealers**
- **Reciprocity between states, tribes or other certifying entity**
- **State Certification Plan Updated in 3 years**

So what does this mean to you?

- **NMDA will need to make changes to the current rule**
  - **Already have a revision that meets most of the requirements**
- **Age requirement – 18 for licensing/ 18 for supervised use of RUP**
  - **16 for family**
- **CEUs**
  - **Applicator will need general and category group specific**
  - **Approval process for workshops**
  - **Operator/Technician general CEUs**

So what does this mean to you?

- **Non-certified applicators of RUPs – training requirement added**
- **Direct Supervision spelled out**
- **Reciprocity with other states or tribes – no changes**

Fumigant Rodenticides

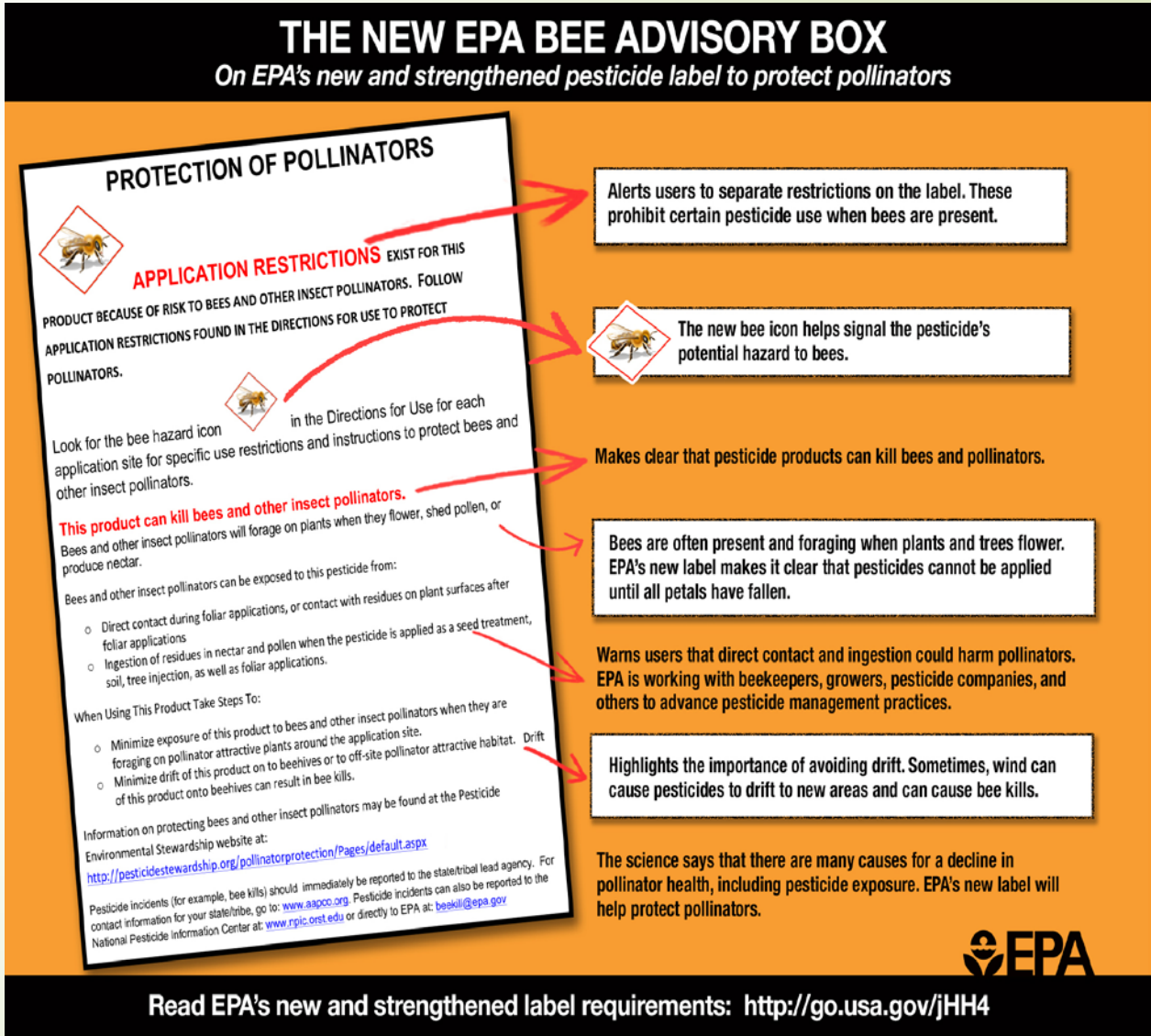
- Recent Incident in Amarillo
  - 4 children dead
- EPA will be reviewing registration – likely to either remove use or further increase requirements
- NMDA will be sending notice and have an ongoing collection of unwanted products
- NMDA training available

Texas pesticide deaths: Chemical may have sickened, but cleanup was fatal

Do Not Share Restricted Use Pesticides – Under ANY Circumstances

Bees and Pollinators

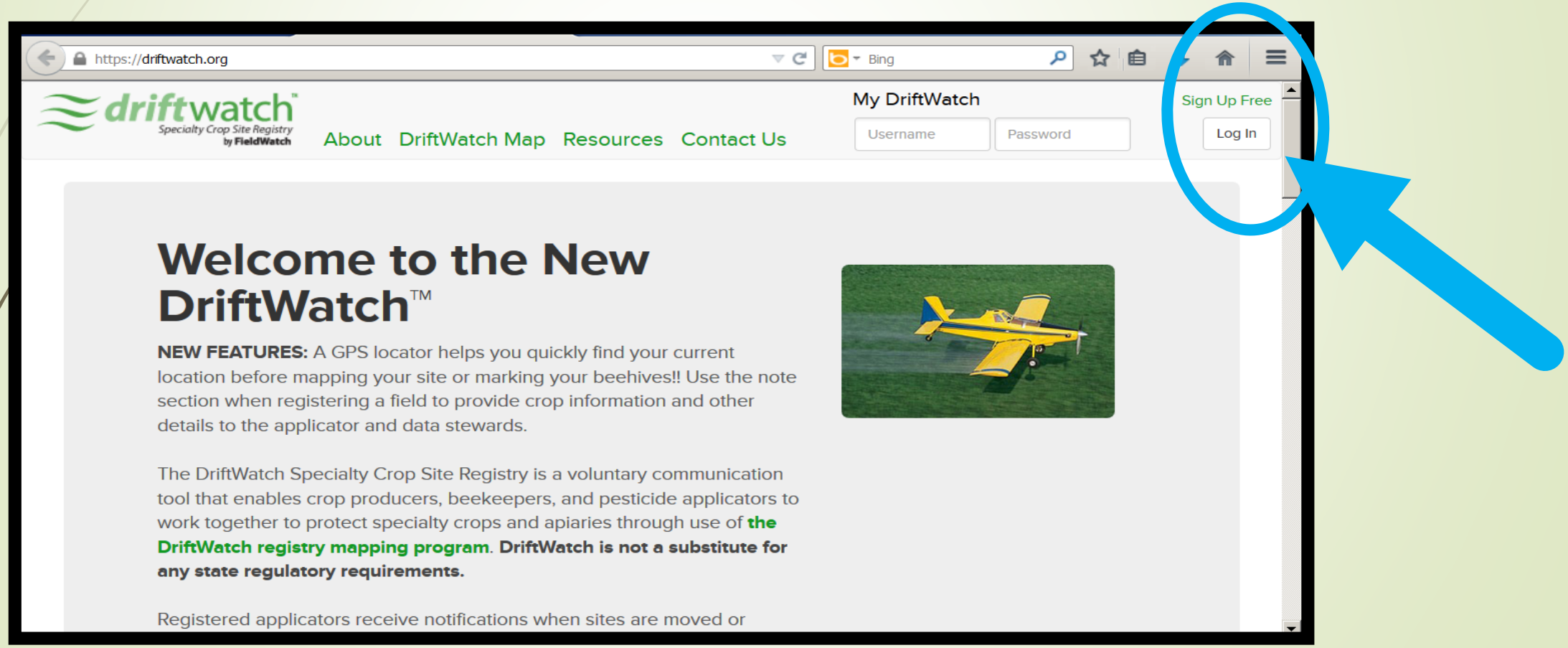
- Presidential Directive for EPA to develop Federal Pollinator Policy
- Neonicotinoids already have restrictions
- Managed Pollinator Protection Plans
- New Label language for any pesticide acutely toxic to bees – released by EPA



driftwatch
Specialty Crop Site Registry
by FieldWatch

How do you sign up?

driftwatch.org



Uses Mapping

Pollinator Protection State Plans

- Designed to facilitate communication between growers, beekeepers and applicators
- Will apply to all pollinators but focus is on managed bees (commercial or hobby)
- Stakeholder involvement in development
- Best approaches to mitigate harm to pollinators depending on site
- May be crop specific or more general
- May have advisory AND enforceable elements
- Extension of the label

SJM 4

1) Within their available resources, requests New Mexico Dept. of Agriculture to provide technical support to the Wild Friends program at university of New Mexico School of Law, to New Mexico Beekeepers Association, and to the New Mexico Chapter of the Colorado Nursery Association related to the implementation of a pollinator-friendly plant labeling project;

2) Requests New Mexico Dept. of Agriculture to continue their collaborative efforts in support of pollinator health;

3) Requests the director of the legislative council designate a state capitol area as a pollinator garden to help in public education as related to the importance of pollinators;

4) Requests the Governor proclaim the second Bee Aware Day during the school year;

5) Requests that memorial copies be transmitted to principal parties mentioned within the memorial.

Product Registration – Fertilizers and Pesticides

- **Require registration by NMDA**
- **Products purchased from an out of state company or dealer, may not be registered**
  - **Contact NMDA to verify registration**
  - **If not registered, we will contact company to inform of requirements for registration**
- **More and More INTERESTING products being marketed**
  - **Growth stimulants, Biostimulants**
  - **All-Natural Pesticides and devices**
  - **Request contact NMDA to verify if need registration or not**

Invasive Pests

- **Threat of Emerald Ash Borer**
  - **Early detection key!!**
- **Japanese Beetle Success**
  - **Compliance Agreements in place several years ago**
  - **THANK YOU for Supporting NMDA's actions and taking your own!**

Thank You All for Your Attention!!

Questions?