

February 25, 2010

**A LITTLE BIT COUNTRY  
WARREN FROELICH  
NDSU EXTENSION SERVICE  
WILLIAMS COUNTY**

**Pesticide Certification and New Labeling**

In order to purchase and apply pesticides classified as “restricted-use” farmers are required to participate in training programs which emphasize the safe application of such products which have a potential of being harmful to the applicator, public and the environment. In North Dakota, as in many states, the Extension Service is charged with the responsibility of conducting the educational efforts and certification of applicators and sellers of pesticide products.

Private applicators will have two opportunities to become recertified or certified for the first time during training meetings I will be conducting this month. The first training meeting will be held Tuesday, March 16, 1-4 p.m., at the Raymond Family Community Center in Williston, during the KUMV-TV Farm and Ranch Trade Show. Another will be held on Tuesday, March 23, 1-4 p.m., at the Senior Citizens Center of Ray. Those being certified for the first time or having a certification lapse for one year or more must successfully complete a written examination.

Andrew Thostenson, NDSU Pesticide Program Specialist has informed us that the Environmental Protection Agency is proposing new pesticide labeling to control spray drift and protect human health. He says EPA has struggled for years to craft meaningful drift labeling language that will satisfy environmental advocacy groups, industry and state regulatory authorities.

Supposedly the new labeling instructions will improve the clarity and consistency of pesticide labels and help prevent harm from spray drift. The new labels which are not expected until after the 2010 spray season will prohibit drift that could cause adverse health or environmental effects. Also, on a pesticide-by-pesticide basis, the EPA will evaluate scientific information on risk and exposure based on individual product use patterns. These assessments will help the agency determine whether no-spray buffer zones or other measures, such as restrictions on droplet or particle

size, nozzle height or weather conditions, are needed to protect people, wildlife, water resources, schools, and other sensitive sites from potential harm.

Jim Gray, Director of the Agricultural Chemical Division, North Dakota Department of Agriculture acknowledges EPA's pesticide regulation notice on pesticide drift has certainly raised a considerable amount of concern. However, he points out that 75 percent of the pesticide complaints he receives each year are related to drift and the chronic nature of drift incidents across this country indicates the current approaches to reduce drift are not working.

Gray feels the problem lies in the fact that most pesticide labels do not have enforceable language when it comes to drift. Instead, most labels have statements such as "avoid drift". Those sorts of advisory statements are unenforceable meaning most state regulators are unable to respond to drift incidents, even if there is human exposure or economic damage. He believes North Dakota is unique because his department has an administrative rule which requires all pesticide applications be made in a manner that prevents off-target discharge. Those rules prohibit making applications when conditions favor drift. A majority of states do not have such provisions in their law or rules meaning they must depend on enforceable label language on pesticide labels so that they can exert regulatory pressure to curb the drift problem.

Gray acknowledges EPA's pesticide registration notice includes a proposal to evaluate and clarify drift reduction technology for its ability to reduce drift and not create a system of large, mandatory buffers around every field.

The deadline for public comments on this pesticide registration is March 5, 2010. It will be interesting how common sense will prevail.