
THE PESTICIDE REVIEW

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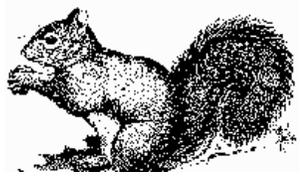
Taking of Wildlife

What do the Department of Agriculture, Fish and Game, and Vector Control require?

We have received several calls lately about the taking of wildlife, namely, raccoons and squirrels. What do the Department of Agriculture, Fish and Game, and Vector Control require to control wildlife pests?

Department of Agriculture:

Companies who kill animals on site or use pesticides in their line of work are required to have a Pest Control Business License. A license is also required when rats, mice, or pigeons are trapped or killed regardless whether or not a pesticide is used. The only time a license is not required is when a trapper engages in live capture and removal or exclusion of vertebrate pests, bees, and wasps without the use of pesticides.



The Department of Fish and Game:

Fish and Game defines game animals as: elk, bear, western gray tree squirrels, pigs, mountain lion, and beaver, etc. In order to "take" one of these animals, a depredation permit must be obtained. The only exemption is if these animals are causing imminent danger to livestock or if they are in the process of destroying crops or property.

Fur-bearing animals, such as raccoons, may only be taken if they are causing damage to a property. Any other circumstance would require a license through Fish and Game. You can obtain a license or depredation permit by calling the Department of Fish and Game in Monterey. (831) 649-2870.

While we are on the subject of gray tree squirrels, the Game Warden we spoke with stated that the Western Gray Squirrel does reside in this area. They are gray or charcoal colored, have a very bushy tail, and will sometimes have a white belly. The Eastern Fox Squirrel also lives in this area and is primarily red, brown, black, or gray, and doesn't have as bushy of a tail. Eastern Fox Squirrels can be taken, but as mentioned above, Western Gray Squirrels are considered a game animal and cannot be taken without a permit. So, unless you are certain you are taking an Eastern Fox Squirrel and not a Western Gray Squirrel, leave the tree squirrels alone!

Vector Control:

Santa Clara County Vector Control informed us that California Code of Regulations Title 14, Section 671.6 states: "No person shall release into the wild without written permission of the commission (Fish and Game) any wild animal..." Vector Control would like all problem raccoons,

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skunks, and opossums that are trapped in urban areas to be euthanized. Wildlife that have become "urbanized" have lost the ability to fend for themselves in the wild. Studies by the U.S. Humane Society found that relocated urbanized animals have a 95% mortality rate. Vector Control also informed us that raccoons and skunks can carry canine distemper and feline leukemia. When these animals are re-released into another neighborhood or into the wild, you can potentially move a disease from one area to another.

If you should have questions regarding diseases these animals can carry, you can call the Santa Clara County Vector Control District at their new phone number: (408) 792-5010.

Santa Clara County School Districts:

Hiring Pest Control Companies

Our Department has been sending informational newsletters to all the school districts in Santa Clara County. In the last edition of our school newsletter, we featured an article focusing on the different licenses needed to perform pest control for hire and the need for all pest control companies to submit a notice of intent or register with our office. We suggested that school districts ask to see a company's county registration or, in the case of structural companies, a copy of a receipt from our office. This coming school year, you may have some schools requesting proof of registration / NOI.



Agricultural Pesticide Spray Notice

What is required of agricultural pest control companies and property operators?

Before any pesticide is applied to a property, specific information must be given to the property operator:

- 1) The date of the application
- 2) The brand name or common chemical name of the pesticide.
- 3) Any precautions to be observed as printed on the pesticide label or included in applicable laws or regulations.

Once this information is given to a property operator, Section 6618(c) requires property operators to "assure that notice is given to all persons who are on the treated property, or likely to enter during the application or the period of time that any restrictions on entry are in effect,..." It is important that you let your clients know that they are responsible for forwarding the spray notice to all people on the treated property or those people they know are likely to enter.

Section 6618 states that notice be "given" to property operators, but it doesn't specify that the notice be in writing. Which means that companies can give a verbal notification to their clients and still be in compliance. However, our department suggests that companies put this notice in writing to help alleviate any doubts as to whether the notice was given.

We have had cases where tenants have called our office and complained that they were never given notice. When we receive a complaint, we immediately check to see if the property operator was given notice. Most of the time, the property operator was given notice and failed to pass it along to their tenants. However, in the cases where the property operator tells us they never received notice from the pest control company, it is incumbent upon the company to show they gave notice. If the company has a long-standing policy of providing written notice, or, has a copy of the written notice that was given to the client, it would clearly show the company fulfilled their notice requirement.

Clopyralid in Compost

Background

Residues of clopyralid were first detected in Washington State compost in mid-2001. Due to concern over the risk to California's large composting industry, the California Department of Pesticide Regulation recently cancelled the registration of 15 clopyralid products.

What is clopyralid and where is it used in California?

Clopyralid is the active ingredient in several herbicides used to control weeds. Use sites include residential lawns, golf courses, rights of way, and rangeland. According to DPR's data, the most common use of clopyralid was in the product Transline®. Transline is used in rangeland areas and for environmental restoration projects as it effectively controls noxious weeds such as yellow starthistle. The next major use of the chemical is in the product Confront®, which is widely used on golf courses and parks.

What is the source of the residues?

It is believed that the primary source of clopyralid residues in compost is treated grass clippings from residential lawns. Despite the fact that label directions prohibit using clopyralid treated clippings in compost!

Have residues turned up in compost produced in this County?

No. Compost produced by the facilities in San Jose have been tested and no clopyralid residues have been detected.

How will it affect you?

DPR is canceling all registrations that have the potential to end up in compost. Registrants will have a choice of whether they want to re-submit a new label to DPR that would prohibit use sites that the State considers a high risk. Right now, it appears

that the only two products that will remain on the market through this cancellation are Stinger® and Transline®. These products are currently labeled for agricultural settings and rangeland. Here are some other ways your company and others may be affected:

- 1) This situation has heightened public awareness concerning the use of pesticides, and it may create increased resistance to their use.
- 2) Ensure all of your clients, including golf courses and parks, are aware that they cannot compost grass clippings or other material treated with pesticides containing clopyralid.
- 3) The City of San Jose recently banned the use of all products containing clopyralid on property they control or own. Unfortunately, this action impacted an environmental restoration project on city property that was using Transline® as a tool to restore natural grasslands, even though no plant material was being used for compost.

Clopyralid products are important tools used to control noxious weeds in many settings, including farms, forests, and rangeland areas. However, the misuse of this product in urban settings has negatively affected uses in other settings. This issue demonstrates the need for all pesticide users to follow label instructions and precautions.

The City of San Jose

The City of San Jose has a large composting and recycling program. In 1989 a bill (AB 939) was passed that required all cities in California to reduce the amount of material going to landfill by 50% by the year 2000. The City of San Jose was able to reach this goal, in part by the development of a huge green waste-composting program. City garbage contractors collect and recycle more than 110,000 tons of yard trimmings a year, which is roughly a quarter of the total waste produced.

A major component of the success of the program is the ability of those producers to sell finished compost to landscapers, parks, nurseries, growers, and homeowners. Therefore, the City is particularly concerned about the clopyralid issue.

This web site has good information about this issue:
<http://css.wsu.edu/compost/compost.htm>

For a list of products cancelled by DPR click on the March 27 press release:
<http://www.cdpr.ca.gov/docs/pressrls/premenu.htm>