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# THE PESTICIDE REVIEW

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## Exempted Pesticide Products

*What are they and what are the requirements to use these products?*

In May 2000, the Department of Pesticide Regulation no longer required certain "exempt" pesticides to be registered. This change allows exempt pesticides to avoid the lengthy registration process and to be excluded from the mill assessment. However, it is important to note that exempt products are still regulated and users must comply with all pesticide laws and regulations relating to their use and worker safety standards.

On August 8, 2003, the Department of Pesticide Regulation published a long-awaited letter answering many of the questions surrounding exempt materials. The following points were derived from that letter:

1. Employees need to be trained on the use of all pesticides whether they are registered pesticides or exempt pesticides.
2. People that apply exempt pesticides for hire or write recommendations for these products must be licensed.

3. Records of pesticide use (Section 6624) are still required for exempt pesticides. (The only portion of this code section that obviously cannot be fulfilled would be the recording of an EPA registration number.)
4. Exempt pesticides have to comply with the Federal Food Drug and Cosmetic Act. Exempt pesticides are still subject to applicable residue tolerances on or in food commodities or animal feed.
5. At this time, exempt pesticide products are not required to be reported on monthly use reports. The State is unable to process these products in their use reporting system since they lack a registration number. (We're not sure if this will change in the future, but if it does, we'll be sure to let you know.)
6. Growers applying only exempt pesticides to their crops will not be required to obtain an Operator ID number at this time.
7. Exempt pesticides will not have a U.S. EPA number or a California Registration number on its label.

-If you find a pesticide without an EPA Registration number on it and want to ensure you have an exempt pesticide product and not an illegal unregistered pesticide, look at the ingredients listed on the product label. Exempt pesticides will list each active ingredient and the name of each inert ingredient. This is unique to exempt products because registered pesticides rarely, if ever, list inert ingredients. Further, California Code of Regulations Section 6147 has a list of exempt pesticide active ingredients. Check to see if your product's active ingredient is on that list. If you are still unsure, call your Agricultural Commissioner's office and we can look into it for you.

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# Preventing Spray Drift

*Suggestions from the Agricultural Commissioner's office.*

Every year, our department receives several complaints of pesticide drift. Some drift incidents involve an applicator spraying the wrong field or house, or spraying an inappropriate material. Then there are the "classic" drift cases where wind, spray pressure, nozzle size, and applicator error have collectively contributed to a spray moving off target.

Unfortunately, there is no way to generalize drift prevention techniques to fit all spray situations. There is one thing, however, that each spray applicator should keep in the forefront of their mind: **Continually evaluate a spray site, don't switch into automatic mode!** Spray conditions at sites can change at any time during an application and applicators must constantly evaluate what they are doing and what is going on around them.

The following list of suggestions was derived from actual spray drift incident investigations:

1. Before treating a property line, listen for activity on the other side of the fence. Are there animals next door? Young children? Speak up and wave a hand over the fence to let neighbors know you are there. If you suspect there might be a potential problem with a dog or child, talk to the neighbor!
2. What kind of fence are you spraying? Are there gaps, knot holes, or rotten boards where the spray can pass through? Further, if you are spraying a property line, use a lower application pressure. You don't need to power wash the fence.
3. When spraying trees anywhere near a property line, it is imperative you speak to the occupants of the neighboring homes! Let them know what you are using and address any concerns they may have regarding your treatment. Keep disposable tarps on hand and offer to cover up items the neighbors do not want sprayed. If the neighbors refuse to accept any spray on their property, refuse to spray the tree on the property line.
4. Use appropriate materials for the application at hand. Don't spray right-of-ways with a persistent pre-emergent herbicide near any agricultural land or waterways where run-off may cause damage.
5. Use the lowest pressure setting whenever possible. Also use a nozzle size that is appropriate for the job at hand. The larger the spray droplet, the less likely it will be carried by the wind.
6. When applying ant, rodent, or cockroach baits, make sure you apply them according to the label requirements. If the product label allows the product to be applied in a bait station, make sure the station is tamper-proof!
7. If you arrive at a new client's home and you are unsure if you have the correct address, make contact with the client before spraying. (Also make sure you have the right street number on the correct street.) If you are unsure of the location, delay the application until you are sure!
8. If a homeowner gives you permission to spray a dog run when the dog is still in the area, refuse to spray until the homeowner removes the animal. Label requirements take precedence over homeowner requests!
9. If you apply a granular material at a residence, read all the precautions on the label, especially if there are waterfowl on the property. Many granular materials have a warning not to apply near waterfowl. Make sure you follow all label instructions. Killing or injuring wildlife is a serious offense!
10. As a side note - If a product has an odor, let the homeowner know. Odor by itself is not a drift violation, but you can avoid an unhappy customer by warning them about the possibility of an odor. Further, read your pesticide labels for warnings. Sometimes there will be warnings in the application section of a label. Some labels will state: "If the treatment site is next to an adjoining structure, advise residents to leave during the application". Make sure you pass along any advisories to the residents!

Overall, working with pesticides requires applicators to be on the alert. Applicators must be aware of the environment around them and must be very familiar with the pesticide products they use.

## Registration Season

*Registering for the 2004 year*

It's that time of year again! The annual registration of agricultural pest control companies and the submission of structural notice of intents are upon us again.

Our office will begin accepting registrations on December 8, 2003. You can register with our San Jose office between the hours of 1:00 p.m. - 5:00 p.m. or at our Morgan Hill office between the hours 8:00 a.m. - Noon.

What are the registration fees for agricultural pest control companies in the Bay Area this year?

| County       | Pest Control Business | Maintenance Gardener |
|--------------|-----------------------|----------------------|
| Alameda      | \$60                  | \$25                 |
| San Mateo    | \$60                  | \$25                 |
| Santa Clara  | \$50                  | \$25                 |
| Contra Costa | \$50                  | \$25                 |
| San Benito   | \$50                  | \$10                 |
| Santa Cruz   | \$50                  | \$0                  |
| Monterey     | \$25                  | \$0                  |

What is the notice of intent fee for structural companies?

The notice of intent fee is still \$10.00.

## Structural Written Notice to Occupants

*Need to check those phone numbers!*

Our phone number changed more than two years ago, but we still find notices with our old phone number! Our phone number is (408) 918-4600.

Santa Clara County Environmental Health's phone number also changed to: (408) 918-3400

If you have a supply of notices with incorrect phone numbers, you can easily come into compliance by simply writing the correct phone number on each form. Another option may be to print out labels or stickers with the correct numbers and apply them to your forms.

## Continuing Education Seminar

*C.E. units for QAL, QAC, PCA, and Private Applicators*

Our office will be presenting a continuing education seminar this December. If you need a few extra C.E. units, give us a call and reserve a seat today!

Topics will include a presentation on weed identification and control, fertilization and wellhead protection, preventing run-off & groundwater contamination, and irrigation scheduling.

When: December 2, 2003

Where: The Lion's Club  
12415 Murphy Ave  
San Martin

Time: 8:30 - 11:45  
(Registration starts at 8:00)

Credits: 2 hrs "other" credits for QAL, QAC, PCA, and Private Applicators

Fee: FREE

RSVP: Please call our South County Office to reserve a seat: (408) 465-2900

## The Pesticide Review

*Updating our mailing lists...*

For those of you already on our e-mail alert list or mailing list, we will roll your contact information into our 2004 database.

If you are not currently receiving our newsletter and would like to be placed on our mailing list, we have two options for you. We can send you an e-mail alert to check our website, or we can mail you a copy. The preferred option is to send you an e-mail alert letting you know that a new newsletter has been posted on our website. However, if you do not have easy access to the Internet, you can choose the second option and we can send you the newsletters by mail.

For your convenience, we have attached a newsletter registration form to this newsletter. Feel free to mail it in or drop it off at our office.