
THE PESTICIDE REVIEW

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Santa Clara County Division of Agriculture

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Three Birds In Almaden/ Santa Teresa Area Test Positive For West Nile Virus

Article from Santa Clara Vector Control District

San Jose, April 08, 2005: The Santa Clara County Vector Control District received confirmation that three birds found in Santa Clara County have tested positive for West Nile virus (WNV). This brings the number of WNV positive birds in the County to five this year.

The first bird, a quail, was found on March 15 in the area of Almaden Expressway and Meridian Ave. The second bird, a Lesser Goldfinch, was found on March 17 in the area near Blossom Hill and Santa Teresa. The third bird, a blackbird, was found on March 25 in the area of Almaden Expressway and Blossom Hill.

Although these are not the first WNV positive birds to be found in the County this year, said Kriss Costa, Community Educational Specialist for the District, “the find is significant in that the birds were all found within ten days and a five mile radius of each other. This is an area that was considered a “hot spot” last year. Eighteen of the 46 positive birds found in the County were from the same general area.”

Experts are predicting Northern California to be the epicenter of the WNV this year. This virus is transmitted to humans and animals through the bite of an infected

mosquito and cannot be spread from person to person.

The unusually high amount of rain and warm temperatures this year have made for a great mosquito season”, said District Manager, Tim Mulligan. “Because of this find, we have stepped up our surveillance and outreach program. Our field technicians have been working hard to keep the mosquitoes under control, but we really need the public’s help in this fight. Our greatest challenge is getting people to check around their homes, apartments or work locations for mosquito-breeding sources such as swimming pools, ponds, buckets, barrels, leaking sprinkler systems, dripping hoses, anything that can produce a puddle of standing water.

What can you do to reduce your risk?

1. Dusk and dawn are when mosquitoes are most likely to bite. Try to limit outdoor activities during these times.
2. Wear long sleeves and long pants to prevent mosquitoes from biting.
3. If you have to be out during peak mosquito times, apply mosquito repellents that have an active ingredient with proven effectiveness. Your best bet is DEET. There are some newer active ingredients that are probably just as effective, such as IR3535, picaridine, and p-methane. Steer clear of botanical products like citronella and lemon eucalyptus. If you're going to be outside for a half-hour or so, use a low-percentage product. If you are going to be out for several hours, you may want to really slather on a longer-lasting, higher percentage lotion on all exposed skin.

No product prevents all bites, but by reducing the number of bites you greatly decrease your chances of getting West Nile Disease.

Dead birds should be reported to 877-WNV-BIRD (877) 9968-2473. The District can be contacted at 408-792-5010 or 800-675-1155.

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Agricultural Business Records & Storage Inspections

Getting ready for a County inspection...

You just received a call from your Agricultural Biologist and they want to set up a time to inspect your business records. You haven't had one of these inspections in years... What will they want to see?

The inspection will actually begin at the County office. The inspector will look through your file and will record your business license number, verify your annual registration, and review your use reports. Once an inspector arrives at your office, they need to verify several items:

1. Is your company supervised by a QAL, or in the case of a maintenance gardening company, a QAL or QAC?
2. How do you notify your clients about your spraying activities? If your company applies pesticides to a production or non-production agricultural site, the inspector will want to see a written PCA recommendation or grower directive. These recommendations must be kept for 1-year.
3. If your company applies pesticides to a production agricultural site, the inspector will ask about your pesticide application completion notice. See California Code of Regulations, Section 6619 for details on what is required in this notice.
4. The inspector will look at your use records for the current year, plus the previous 2 years. The inspector won't look at every record, but will inspect a random sampling. What we look for in the record is the following:
 - a. Date of the application.
 - b. Name of your client.
 - c. Location of the property treated.
 - d. Crop commodity or site treated. - This is an area where we find a lot of non-compliances. Many applicators forget to write down where they applied a material. Writing "front yard", "both lawns", "apple tree", etc, is appropriate.
 - e. Total acreage or units treated at the site. - This is another area we often find non-compliances. In the case of a residential setting, you can estimate the area you sprayed. For park or agricultural sites, you should have the actual

acreage recorded. If you don't have room on your field report to record this information, you can supplement your field record with information back at the office. For example, if you have a file for a client with the size of their lawns, or size of their field, etc. it will save your applicators from having to approximate the size every time they spray. They can instead write, "front lawn" "field 2", etc. If your applicator performed a "spot spray", make sure they write that down.

- f. The name and amount of the pesticide applied and the EPA Registration Number. As long as your use records are clear about which material was used at a site, you don't have to write the EPA Reg. No. on your field report. Your monthly pesticide use reports will record the EPA Reg. No. for the products you use. If you do use different formulations with the same name, (i.e. Roundup, Roundup Pro), make sure your records differentiate between the two.

STORAGE:

5. The inspector will make sure you have a valid permit for any California Restricted Material you have in your storage area or recorded in your use records.
6. All pesticide containers should be secured or under someone's personal control to avoid unauthorized persons access to the materials.
7. If you store category 1 or 2 pesticides, we will verify your storage area is posted.
8. All of your pesticide concentrate containers must carry their original label. (If there is a reasonable reason why the container has lost its label, we want to see a proper service container label and a reproduced label on site.)
9. All service containers must have a service container label. Make sure all of your backpack sprayers, B&G's, and tip-'n'-pours have been properly tagged!
10. We will make sure you are using proper containers. **NO FOOD CONTAINERS!**
11. The last item we will ask you about is your container disposal procedures. Make sure you triple rinse and puncture when required. Some inspectors may look in your dumpster to check!

Department of Pesticide Regulation News

February 23, 2005 (05-03)

DPR seeks \$3 million in flea fines

SACRAMENTO -- The California Department of Pesticide Regulation today sought more than \$3 million in civil fines against 13 businesses on charges that they sold unregistered, misbranded flea treatment products for pets.

The actions are part of a DPR initiative to enforce compliance with pesticide registration and sales fees. State law requires that pesticides must be registered before they are sold or used in California. The law also imposes a fee -- known as the "mill" -- currently set at 2.1 cents per dollar of sales. Mill revenues support DPR enforcement, worker safety, and other health and environmental programs.

"Mill compliance is critical to providing the fiscal support we need to protect the health and safety of Californians," said DPR Director Mary-Ann Warmerdam. "It also assures a fair and equitable business environment. When companies break the law on pesticide mill fees or registration, they gain an unfair advantage over law-abiding competitors, and they also may put consumers at risk."

DPR charged the 13 businesses of obtaining "Advantage" and "Frontline" brand name flea treatment products from overseas, where those products may be available at lower cost to wholesalers. However, these foreign market products are not registered for sale in California, and their measured dosage and instructions may vary from products approved for U.S. sale.

DPR is not currently aware of any confirmed incidents where pets or their owners were harmed by the illegal products. DPR urges consumers to closely follow legal label directions, which must be approved by the U.S. Environmental Protection Agency and DPR.

Despite warnings from DPR, the 13 firms sold foreign products disguised with unlawful stickers over their foreign labels, or they sold products in counterfeit packaging, said DPR officials. In the process, the sellers avoided both annual product registration fees and mill fees on sales that ran into millions of dollars, DPR said.

DPR attorneys said the amount of illegal sales may never be known, since the sellers refused to cooperate with investigators from DPR's Mill Assessment and Enforcement branch. Several sellers have marketed their products online; they also include large-scale suppliers and/or retail dealers.

DPR has alerted retailers statewide about the illegal products, and advised them on how to spot counterfeit packaging.

For consumer information on identifying illegal flea products, and what to do with them, see U.S. EPA's website:

www.epa.gov/pesticides/factsheets/petproduct.htm

DPR has been investigating similar cases for several years. Since 2003, DPR's Mill Assessment Branch, working with limited resources, has found more than 180 violations for flea products.

DPR also alerted U.S. EPA after tracing flea product counterfeiters to other states. As a result, U.S. EPA last year issued a "stop sale" order against some sellers.

Today's action is part of a larger DPR initiative on mill fee and registration compliance. Last December, DPR reported an investigation that showed "big box" retailers may be underpaying mill assessments - and in some cases selling unregistered products worth more than \$200 million a year.

DPR's Mill Assessment Branch has also begun posting compliance fines and settlements online at: www.cdpr.ca.gov/docs/mlassess/actions/fines.htm.

Question Corner

If you have any questions, comments, or would like to suggest a subject for an article, please drop us a note at:

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