
THE PESTICIDE REVIEW

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Santa Clara County Division of Agriculture

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On-Line Pesticide Use Reporting

Pesticide Use Reporting in the 21st century

The Santa Clara County Division of Agriculture is initiating an on-line service to allow growers and pest control companies to complete and submit monthly pesticide use reports through the Internet. This on-line service will be supported by the County and will be available at no cost to participants.

We are currently working out a few bugs in the system, but hope to have the program up and running soon. For additional information, please contact your district biologist and they will take your information and forward it to our system support personnel. Businesses participating in this program will be issued an on-line account and password to ensure security.

If your company performs structural pest control, we will arrange for you to submit your structural use report stamps for the year, and we will affix the stamps to your reports for you.

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West Nile Virus

Santa Clara County's first equine death.



Horses have a high mortality rate when they contract West Nile Virus (WNV). A vaccine is available for horses, but some owners didn't complete the series of vaccinations or skipped them all together and the results were deadly. In California, 456 horses were infected and 200 died as a result of the disease this past year.

Santa Clara County's first positive case of WNV in a horse was identified in November 2005. The horse, a 20-year-old male, was located in the Almaden Valley.

The horse experienced the onset of illness on November 25th and was euthanized on November 28th. The horse did not have a history of travel and information on its vaccination history was not available.

This case is a reminder that virus-carrying mosquitoes are still present this time of year! If you work outside, be sure to take precautions!

Year in review:

The West Nile Virus has spread to 48 states, Canada, and Mexico. There were 2,799 human cases detected in the United States, including 102 deaths. California accounted for 926 cases and 18 fatalities.

For information regarding West Nile Virus, contact the Santa Clara County Vector Control District at (408) 792-5010. You can also obtain information about West Nile Virus from the California Department of Health Service's website: <http://www.westnile.ca.gov/>

Pesticide Enforcement Gets Tougher For Good Reason

*Commentary by Mary-Ann Warmerdam
Director, Department of Pesticide Regulation*

The Kern County District Attorney recently filed a civil complaint seeking \$105,000 for a pesticide incident in May that injured more than two dozen vineyard workers near Arvin. But the major story behind that case -- and others around the state -- is yet to be told.

Since Gov. Schwarzenegger's administration took office, the Department of Pesticide Regulation (DPR) and its local partners have stepped up efforts to protect farm workers and others threatened by pesticide misuse. As we crack down on violators who do business unfairly, we also support the vast majority of growers and applicators who play by the rules.

Late last year, criminal charges were filed against Golden West Nut Co., with operations in San Joaquin and Stanislaus County. The case involves misuse of the fumigant methyl bromide and a life-threatening injury to an employee. Criminal charges are unusual, to be sure. But this case went beyond carelessness. The prosecution charges that a defendant deliberately sought to cover up the injury caused by the company's negligence.

That's why the Stanislaus County Agricultural Commissioner referred the case to a district attorney. In addition to jail time, the commissioner says that up to \$500,000 in fines will be sought.

Other pesticide cases have received little or no publicity, but they are significant in terms of making statewide pesticide enforcement stronger and more consistent. In June, the Riverside County District Attorney finalized a \$75,000-plus settlement for unfair business practices against pesticide manufacturer Helena Chemical Co., applicator Southwest Ag Services, and grower Frank Capurro and Son. The Riverside County Agricultural Commissioner started the investigation, which involved unlicensed pesticide applications and other violations. In addition to civil penalties, the settlement funds environmental training and equipment for the county's use.

In August, Stanislaus County filed a proposed action against the Modesto office of Western Farm Service, a major pesticide applicator. The Agricultural Commissioner is seeking a \$6,000 fine for an incident last year in which a Western Farm employee was helping

fumigate a pallet of seed bags with phosphine gas. The employee had no training on use of the chemical or its potential hazards. He became ill and required medical treatment.

Another recent action in Fresno County also deserves attention. The Agricultural Commissioner has proposed a \$10,000 fine against Gerawan Farming of Sanger, one of the state's largest growers, based on an incident that occurred last May. During a routine field safety inspection, inspectors from the county and DPR discovered that 180 workers were in a vineyard where three pesticides had been sprayed just hours earlier. All three pesticides had reentry restrictions -- one for seven days. The crew leaders told investigators they were never notified. Though all the workers left the field immediately, and none complained of illness, the Fresno Agricultural Commissioner classified the case as a major violation because it jeopardized the workers' health and safety.

DPR expects more such actions to be filed in Valley counties and throughout the state as we pursue a vigorous enforcement policy. Our message is simple: If you put people at risk by violating pesticide rules, you will pay a steep price. And we will underscore this message by seeking news coverage of such violations, because public notice has its own deterrent value.

Our motives are far from punitive. Most growers and applicators are conscientious businesspeople who work hard and play by the rules. Though California leads the nation and the world in agriculture and pesticide regulation, a relatively small number of violators pose a threat to our hard-earned reputation. So a vigorous pesticide enforcement program serves the best interests of our people, our environment, and our agricultural economy.

Industry leaders recognize this. On August 24, a coalition of 17 major agricultural associations asked DPR to adopt its new enforcement response policy into formal regulations that carry the weight of law. DPR's enforcement policy is standardizing local enforcement penalties and helping counties set priorities. The policy also encourages County Agricultural Commissioners to consider all their options, including district attorney referrals such as those made by the Ag Commissioners in Kern, Stanislaus, and Riverside counties.

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I have already committed to placing our enforcement policy into regulation, with support from our County Agricultural Commissioners. But the fact that industry supports us demonstrates that DPR and our local partners are on the right track. Regulators can't visit every farm field every day, any more than police can stand on every corner. Enforcement works best when a fair and firm policy encourages compliance.

We look forward to the day when sustainable, least-toxic pest management techniques now being pioneered in California become the norm across the state and nation. Our goals may change then. In the meantime, DPR and our local partners will make enforcement our top priority. It's the law.

From the Question File:

Recent questions from pest control companies...

My company uses a Rodenator device to control gophers and ground squirrels. Do I need to register my company with the County if my company doesn't use pesticides?

Yes. Using a device to control a pest is pest control according to Food and Agricultural Code Section 11403. Therefore, if you use a device to control a pest as part of your business, you must be licenced and registered with our County.

How does the County decide how much a company is fined?

Assigning a value to a violation can be difficult, especially since no two violations are exactly alike. In order to maintain consistency, our County has a civil penalty guideline we follow to assign a fine value to a violation. This guideline allows us to account for a number of factors when assessing a fine.

Our guideline breaks down each fine range into three cells. Each cell has a fine range and fines are moved within the cell and are sometimes bumped to a lower or higher cell within the fine class based on the facts of the case. Examples of some of the factors that can move a fine downward are violators that were cooperative and forthcoming with information during an investigation, or when the violator alerts us to the subject incident. Examples of things that can move a fine upward are things such as the violation involved the safety or property of multiple individuals or when the violator is uncooperative or lacked forthrightness during an investigation.

Hackberry Woolly Aphid (*Shivaphis celti*)



Photo courtesy of Jack Kelly Clark UC IPM Project

The hackberry woolly aphid (*Shivaphis celti*) was introduced into the U.S. in the late 1990's and has spread quickly across the southeastern part of the U.S. Unfortunately, this pest made its way to California in 2002 and, to the aggravation of local homeowners, it arrived in Santa Clara County within the last year or two.

Identification

This aphid secretes a pale bluish or whitish wax over their bodies, giving them a fuzzy appearance. The winged adults have distinct black patterns radiating out to their wing tips and their antennae have alternating black and white bands.

This aphid is a prolific honeydew producer and does a good job coating everything under the tree canopy with a sticky residue. If you have clients with hackberry trees, you may receive calls this year regarding this pest.

Control

Staying true to the historic pattern of invasive species, this aphid arrived in this country without any of its natural enemies. There are several parasitic wasps that attack this aphid in Asia, but they are not yet available in this country. The wasps must go through testing and analysis before they will be allowed to be released into the U.S.

In the interim, the University of California is recommending dormant horticultural oil sprays and soil injection or drenching with imidacloprid to control this pest.

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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