

LAKE COUNTY AG NEWSLETTER



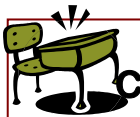
November 2005



PERMIT SCHEDULE

2006 PESTICIDE USE PERMITS WILL BE ISSUED BEGINNING IN DECEMBER.

Please do not wait until the last minute to renew your permit. It is a good idea to make an appointment about a week before you think you will need to spray. Appointments will be available after 1 PM. If you can not make this time, please call to make other arrangements. Drop-ins will be accommodated when possible, but appointments will have priority. To make an appointment, please call (707) 263-0217. ☐



CONTINUING EDUCATION CLASSES

Both Lake and Mendocino Counties will be offering classes for continuing education in December. There

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PESTICIDE USE PERMIT RENEWALS



Take a look at your permit to make sure it is accurate and to see if it needs to be renewed. Be sure to review all of the information on your permit and note any changes including mailing address, phone numbers, acreage, and sites added or removed etc. If it does not expire this year, then you do not have to renew it.

Please contact us if there are any changes to your permit even if it does not need to be renewed. Many changes can be made over the phone.

The expiration dates for permits issued beginning in December 2005 are as follows:

PERMIT EXPIRATION DATES

LAST INITIAL	EXPIRATION DATE
A-H	2006
I-Q	2007
R-Z	2008

*If you have a Qualified Applicators License or a
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CEDITS

ON LINE PESTICIDE USE REPORTS!!

Lake County is now ready to accept your pesticide use reports online! Chose you method (Agrian, Ladybug, TigerGill etc.) and get started. If you chose to use Agrian to submit your reports, you do not need to set up an account with us. If you have your own software to upload you reports, you will need to set up an account with the Lake County Agricultural Commissioner's Office. Call Denise Patrick at 263-0217 if you have questions or to set up your account. ☐

Qualified Applicators Certificate issued by the Department of Pesticide Regulation your permit will expire when your license or certificate expires.

PRIVATE APPLICATORS CERTIFICATES

Be sure to check the expiration date on your Private Applicators Certificate to make sure that it is still valid. If you have any questions about you continuing education hours, call the Lake County Agricultural Commissioner's Office and we can see how many you have. ☺

NOTICE OF INTENT POLICY

24 hour notice clarification

A Notice of Intent (NOI) must be filed 24 hours prior to the application a restricted material. Beginning in December, **all NOIs for weekends, Monday, or Holidays must be submitted by 3:00PM on the previous working day.** This mean that if you want to use Guthion on Sunday or Monday you need to let the Lake County Agricultural Commissioner's Office know on Friday.

This will ensure that we will have the ability to review the proposed applications. This was originally the purpose of the 24 hour notice; however weekend applications have not been reviewed prior to use because we are unable to check for notices of intents during non-business hours.

Thank you in advance for you cooperation and understanding. ☺

INSPECTION COUNT

The Lake County Agricultural Commissioner's Office has made an agreement with the Department of Pesticide Regulations about our inspection protocols. One of the aspects agreed upon was the number of inspections that the Lake County Agricultural Commissioner's Office will conduct in the fiscal year 2005/2006. The numbers agreed on are:

Inspection	Number
Application	50
Records	20
Fieldworker	15
Field Fumigations	All

PEST CONTROL BUSINESS REGISTRATION

All pest control business must register each calendar year with the Lake County Agricultural Commissioner's Office before they work, advertise, or solicit business in Lake County. The following documents and fees are required by our office to complete the registration or notification process. Registration forms are available at all county Agriculture Offices.

AGRICULTURAL PEST CONTROL OPERATORS
\$25

- ✓ Ag Pest Control Business License
- ✓ Qualified Applicators License
- ✓ Current Equipment List

MAINTENANCE GARDENER
\$25

- ✓ Maintenance Gardener Business License
- ✓ Qualified Applicator Certificate
- ✓ Current Equipment List

STRUCTURAL PEST CONTROL BUSINESS
\$10

- ✓ Structural Notification Form
- ✓ Current Equipment List

COMBINATION-AG AND STRUCTURAL PEST CONTROL BUSINESS
\$35

- ✓ Ag Pest Control Business License
- ✓ Qualified Applicator License
- ✓ Structural Notification Form
- ✓ Current Equipment List

FARM LABOR CONTRACTOR
\$10

- ✓ Federal Farm Labor Contractor Certificate of Registration
- ✓ State Farm Labor Contractor License

PEST CONTROL ADVISER
\$10 (\$5 if Lake is not your primary county)

- ✓ Pest Control Adviser's License

Be sure that any required state licenses are current. Contact DPR if a license needs to be renewed. ☺

will be 2 CE hours available for Mendocino's Class and 3 hours for the Lake County class. Mendocino will be offering its class three times. Lake County will be offering its growers meeting twice.

Mendocino County (2 hours CE)

Date	Time
Thursday Dec. 1	10:00 – 12:00 PM
Tuesday, Dec. 6*	1:00 – 3:00 PM
Wednesday, Dec 7	6:00 – 8:00 PM

*Rachel Elkins, Pomology Farm Advisor, will be attending the meeting on Dec. 6th to discuss pear-related issues.

Mendocino County classes will be held in the Mendocino County Department of Agriculture's conference room at 890 N. Bush St. in Ukiah. You must sign up in advance to attend these classes. Call 463-4208 to sign up for one of Mendocino's classes.

Lake County (3 hours CE)

Date	Time
Friday, December 16	8:00 – 12:00 PM
Wednesday, Dec. 21	8:00 – 12:00 PM

Larry Brewer will be attending the meetings to discuss EQUIP, and Chuck March will be attending to discuss Irrigated Lands Waiver.

The Lake County classes will be held in the Board of Supervisors Chambers in the Courthouse located at 225 North Forbes St. in Lakeport. You do not need to sign up in advance for the Lake County meetings.

You may attend one class per county for credit. You will not receive double credit for attending two or more meetings in one county. You will receive 4 hours CE if you attend one of the meetings for each of the counties.

Other classes that have been approved for continuing education hours are listed on The Department of Pesticides Regulations web page at <http://www.cdpr.ca.gov/docs/license/conted.htm> under DPR Approved Classes. ☺

DPR LICENSE RENEWAL SCHEDULE

Renewal Received by DPR	License Returned to You By
November 30, 2005	January 17, 2006
December 31, 2005	February 18, 2006
January 31, 2006	March 15, 2006

This schedule is for the renewal of licenses issued by the California Department of Pesticide Regulations. It includes Qualified Applicators Licenses and Qualified Applicator Certificates.

It does not apply to Private Applicators Certificates issued by the county Agricultural Departments. ☹

PESTICIDE USE REPORTS

All pesticide use reports are due on the 10th day of the month following any pesticide applications. Herbicides, fungicides, miticides, insecticides and rodenticides are all considered pesticides. **This includes Round-up, sulfur dust, wettable sulfur, and organic pesticides.** If it has an EPA number, it needs to be reported.

Please review you files to be sure that all of your reports have been turned in. Now would be a good time to get caught up if you are not already.

We will be going through our files to see if any reports appear to be missing. We will compare spray reports submitted with sales from the pesticide dealers and send letters to those who appear to have missing reports.

To avoid receiving a letter from us, please get your Use Reports in now. ☹

Make sure you have completed all of you continuing education hours before your license or certificate expires!

If your license or certificate expires before you complete all of your continuing education, you will have to retake the exam to get another license.

LAKE COUNTY OVERSIGHT INSPECTIONS

As many of you are aware, in fiscal year 2003/2004, the California Department of Pesticide Regulations (DPR) conducted oversight inspections on Lake County. DPR staff members accompanied Lake County Inspectors on many of the inspections conducted. Both DPR staff and the County Agricultural Inspector completed individual inspections forms that were compared at the end of the day for consistency between DPR staff and the county inspector.

DPR conducts oversight inspections on the counties to ensure consistency between each county and monitor compliance of growers and pest control business. DPR wants to ensure that the inspectors are accurate in their inspections and see if there are any compliance issues.

At the completion of the Oversight program, DPR reviews the inspections for the season to see if there are any problems that need to be addressed. They score compliance on each code sections (for example 10 inspections completed with one section violated 3 times results in 70% compliance for that section). DPR states that there needs to be improvements made for any sections that score below 80% compliance.

The following sections rated at below 80% compliance during our oversight inspections for 2003/2004 (Food and Agricultural Code-FAC, California Code of Regulations-CCR)

Application Inspections

- CCR section 6726 – Emergency medical care posting
- CCR section 6734 – Decontamination facilities at site
- CCR section 6734(c) – Eyewash immediately available
- CCR section 6738 – Personal Protective Equipment as required by the regulations

Mix/Load Inspections

- CCR section 6726 – Emergency medical care posting

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- CCR section 6734 – Decontamination facilities at site
- CCR section 6734(c) – Eyewash immediately available
- CCR section 6610 – Backflow prevention

Fieldworker Safety Requirements

- CCR section 6761 – Hazard communications (PSIS A-9 posted)
- CCR section 6770 – Field entry after pesticide application

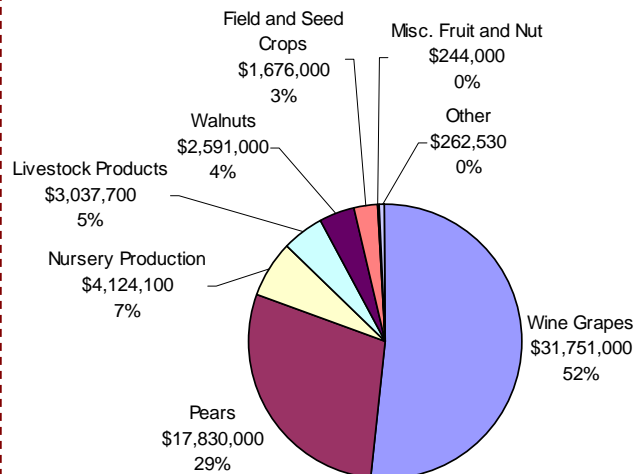
CONTINUING EDUCATION HOURS AVAILABLE ON-LINE

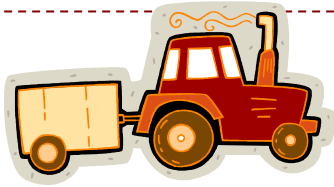
Continuing Education Courses Online (CEOC, LLC) is now offering online classes for continuing education. Their website (www.cepestmngt.com) offers Department of Pesticide Regulations approved courses for Laws and Regulations, Aerial, and Other. They plan on adding classes for Pesticide Regulations, Ornamentals, and Other Commodities. The cost is \$20.00 per CE hour.

The courses contain written material that you can print out and a test that is taken online. You have 30 days after payment to complete the tests. The test can be taken as many times as necessary and are graded immediately so you know if you passed.

CEOC tracks all of the hours you earn on their website. ☺

2004 AGRICULTURAL PRODUCTION BY COMMODITY





PESTICIDE APPLICATION/MIX AND LOAD REQUIREMENTS

What you need to know.

General

A notice of intent (NOI) must be submitted at least 24 hours prior to the application of a California Restricted material-if it is specifically listed on your permit, it is CA restricted, submit a NOI

All restricted material applications must comply with all applicable permit conditions

Certified applicators must supervise and be available for all restricted material applications

All applications must follow all label requirements including rate and site

Fields must be posted when

- ✓ Required by the label
- ✓ The REI is greater than 7 days
- ✓ The application is in a green house

Field postings must be placed prior to the application and removed within 3 days after the REI expires

Applications must be made using suitable methods, manner and during suitable climate conditions

Reasonable precautions must be taken to protect people, animals, property and the environment

Applications must be stopped if there is a reasonable possibility of:

- ✓ Contamination of people,
- ✓ Damage to non-target crops, animals other public or private property
- ✓ contamination of non-target public or private property
- ✓ creating a health hazard
- ✓ preventing normal use of non-target property

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Personal Protective Equipment/Worker Safety

Everybody who handles pesticides is required to wear all personal protective equipment required by the pesticide label.

All employees are required to wear chemical resistant gloves, unless the label specifically prohibits them

All employees are required to wear eye protection. Regular sunglasses do not meet the requirement for eye protection. Employees must wear safety glasses or goggles with brow and temple protection.

If the pesticide label requires eye protection, each handler must have at least one pint of eyewash immediately available-on the tractor.

Employees must wear chemical resistant coveralls when handling pesticides with the signal word "Danger" or "Warning" unless prohibited by the label.

If a handler is applying pesticides from an enclosed cab, work clothes may be worn instead of PPE required by the label. **Respiratory equipment must still be worn.** All PPE required by the label and regulations must be in a chemical resistant container in the cab with the handler incase the need to leave the cab arises.

If a handler is in an enclosed cab approved for respiratory protection, then the required respiratory equipment does not need to be worn, but must be in a chemical resistant container in the cab with the handler incase the need to leave the cab arises.

When spray nozzles are below and behind the applicator (i.e. a quad or tractor pulling a weed sprayer) gloves and eye protection do not need to be worn, but do need to be on the vehicle.

Employees who handle category 1 pesticides must be contacted by radio, phone or in person at least every 2 hours during the day and at least every hour at night. This requirement is met if two employees are working at the application site and are able to contact each other

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All employees who handle pesticides must be trained by a qualified person **before** they begin to handle any pesticide. The training must be specific to each pesticide handled and include:

- ✓ Acute, chronic, delayed and sensitization effects of pesticides-from labels, MSDS and/or Pesticide Safety Information Series(PSIS)
- ✓ Ways pesticides enter bodies
- ✓ Signs and symptoms of overexposure
- ✓ First aid for overexposure
- ✓ How and where to get emergency medical care
- ✓ Routine and emergency decontamination
- ✓ How to clean up spills
- ✓ Importance of washing thoroughly when finished handling the pesticides
- ✓ Need for, how to use, how to clean and the limitations of PPE
- ✓ How to prevent, recognize and treat heat related illnesses
- ✓ Safety requirements and proper procedures for handling, transporting, storing and disposing of pesticides
- ✓ Environmental concerns including, drift, runoff, and wildlife hazards
- ✓ Warnings to not take pesticides home
- ✓ Pesticide safety, MSDS, PSIS series
- ✓ Requirements and purpose of medical supervision required if carbamates or organophosphates with the signal word "Warning" or "Danger" are handled
- ✓ Location of PSIS A-8
- ✓ Employee rights:
 - To receive information about pesticides that they may be exposed to
 - To have physicians received information about pesticide that they may be exposed to
 - To receive information without retaliation from the employer

At the Application Site

Emergency medical information must be posted in a prominent place at the worksite or on the vehicle. The information must include:

- ✓ Name
- ✓ Address and
- ✓ Phone number

Of the hospital or Doctor's office where emergency medical care is available

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The registered label must be present at the work site

A decontamination facility must be within ¼ mile of the worksite and contain

- ✓ Water for washing
- ✓ Sufficient soap
- ✓ Paper or other disposable towels
- ✓ Extra clean coveralls

Pesticide Containers

Pesticide containers must be labeled with the manufacturers label

Containers must be secure and under control. Typically either locked, off of the road or within view of employees so that unauthorized people or animals will not be exposed

Service Containers (containers other than the manufacturers container) must be labeled with:

- ✓ Name and address of person or business responsible
- ✓ Identity of the pesticide
- ✓ Signal word of the pesticide

Not required for spray rigs that are not traveling on public roads

Pesticides must be kept in proper pesticide containers. Pesticides may not be put into food, drink or other household containers

All emptied containers that originally held less than 28 gallons of liquid must be triple rinsed at the time of use

Pesticides may not be transported in the same compartment (i.e. in the cab of the truck) as people, food, or feed.

Pesticide containers must be secured during transportation.

Equipment/Mix and Load

- Pesticides must be measured accurately
- Equipment must be in good repair and safe to operate
- Backflow prevention must be in place to prevent contamination of ground water. Typical backflow

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prevention is an air gap or double check valves.

- Employees who use any liquid category 1 (Danger) pesticides must use a closed system to mix the pesticides. Employees may not come into contact with the concentrate.
- All spray rigs must have a cover to prevent spills
- Any spray rig greater than 49 gallons used for category 1 or 2 (Danger or Warning) pesticides must have a site gauge or an automatic shut-off to prevent the diluted pesticide from spilling out of the sprayer

Hoses used to transfer category 1 or 2 liquid pesticides of must have:

- ✓ a shut off device to prevent leaking of the liquid pesticide or
- ✓ another method to prevent pesticide leakage

Pest Control Businesses

Register with each county you will be working in as a Pest Control Business before you work for hire. To register you will need:

- ✓ Qualified Applicators License (current)
- ✓ Pest control Business License (current)
- ✓ List of equipment you will be using for your business
- ✓ \$25.00 registration fee

Service or ground equipment must be labeled with:

- ✓ Qualified Applicators License (current)
- ✓ Pest control Business License (current)
- ✓ List of equipment you will be using for your business

Employers are responsible for ensuring that all of the above requirements are met.

Owner applicators must follow all of the "General," "Pesticide Container," and "Equipment/Mix and Load" requirements listed above. Owners are also required to follow all of the label requirements including PPE.

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FIELDWORKER REQUIREMENTS

These rules apply if there are people working in a treated field. Working in a field includes pruning, thinning, tying, harvesting etc. A treated field is one in which a pesticide (including sulfur and herbicides) has been applied in the last **thirty** (30) days **plus** the **Restricted Entry Interval** (REI) of the pesticide(s) used. If Goal 2XL was applied to the field, then the field would be considered treated for thirty-one (31) days, the thirty days plus the one day REI for Goal. If more than one pesticide was applied at the same time, the field would be considered treated for 30 days plus the longest REI of the pesticides.

GENERAL

Decontamination Facilities must be within ¼ mile of workers and include:

- ✓ Soap
- ✓ Water for washing
- ✓ Paper towels

Fieldworkers may not work in a field that is being treated or has an REI in effect

POSTING

Application Specific Information must be posted within 24 hours of the pesticide application and remain displayed until the REI has expired. The posting must be available to employees at all times (it can be in a file cabinet or binder but not locked in an office) and located where workers gather. The information that must be posted is:

- ✓ Location of the treated field
- ✓ Time and date of the application
- ✓ Name of the pesticide used
- ✓ EPA Number
- ✓ Active ingredients of the pesticides
- ✓ Restricted Entry Interval

A Pesticide Safety Information Series (PSIS) A-9 must be completed and posted at the worksite or where employees start their workday

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NOTIFICATION

Fieldworkers must be notified when pesticides are applied or when a REI is in effect within ¼ mile of the field they are working in

Fieldworkers must be informed of where emergency medical care is available for them

TRAINING

Fieldworkers must be trained prior to working in a treated field. Training topics must include:

- ✓ Importance of routine washing
- ✓ What an REI is
- ✓ What postings mean
- ✓ How they may contact pesticides (drift, treated surfaces etc.)
- ✓ Routes of exposure
- ✓ Acute and chronic effects of pesticides
- ✓ Signs and symptoms of exposure
- ✓ First aid and decontamination
- ✓ Warnings about taking pesticides home
- ✓ Heat related illnesses
- ✓ Explanation of PSIS A-9
- ✓ Employee rights to receive information about pesticides with no retaliation from the employer

Training must be conducted at least every 5 years by a qualified trainer (a person in possession of a Private Applicators Certificate, Qualified Applicators Certificate/License etc.)

EARLY ENTRY REQUIREMENTS

Under certain circumstances a fieldworker may enter a field during a REI. These are the requirements under those circumstances:

Employee must wear Personal Protective Equipment (PPE) specified on the pesticide label for Early Entry

Fieldworkers must not work in the field during the application

Fieldworkers must be informed of

- ✓ Pesticide label requirements
- ✓ First aid
- ✓ Symptoms of exposure
- ✓ Proper use and care of PPE
- ✓ Prevention, recognition and treatment for heat related illnesses
- ✓ Importance of was

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Employer must provide PPE for the employee

Employer must ensure proper use of PPE by employee

Fieldworker must have at least 1 pint of eyewash available for each worker if the pesticide label requires eye protection. The eyewash must be carried by the fieldworkers while they are in the treated field

Employer must provide a clean, pesticide free place for employees to store personal clothing

FIELD POSTINGS

Treated fields must be posted if:

- ✓ The pesticide label requires posting
- ✓ The application was made in a greenhouse (unless the greenhouse is secured against entry)
- ✓ The REI for any pesticide used is longer than 7 days

GREENHOUSE APPLICATIONS

If the pesticide label requires a respirator **or** the pesticide is applied as a fumigant, smoke, mist, fog or aerosol, the green house must be ventilated until the concentration is less than or equal to the product label standard

If there is not label standard one of the following must be met

- ✓ 10 air exchanges are complete
- ✓ 2 hours mechanical ventilation (fans)
- ✓ 4 hours passive ventilation (open vents, doors)
- ✓ 24 hours no ventilation or
- ✓ a combination of the above where the total % of each method equals 100%



RECORD KEEPING

What you need to know for
Headquarters Inspections



All GROWERS

GENERAL

All growers that use pesticides must:

- Have a current Restricted Materials Permit or Operator ID number for pesticides used and stored
- Keep permit or Operator ID number for 2 years
- Keep copies of Pesticide Use Reports for 2 years
- Submit all Pesticide Use Reports in a timely manner
- Have all appropriate Personal Protective Equipment
- Store respirators in a sealed container away from pesticides

PESTICIDE STORAGE

All pesticides must be stored properly. To store pesticides properly:

- Store pesticides in a locked enclosure
- If pesticides with the signal word "Warning" or "Danger" are stored, the enclosure must be posted
- Pesticides must be properly labeled and in their original containers
- Empty containers must be properly rinsed and stored in the locked enclosure. The enclosure must be posted if empty containers contained pesticides with the signal word "Warning" or "Danger"
- If diluted pesticides are stored or transported, the service containers must be labeled

GROWERS WITH EMPLOYEES

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GENERAL

There are other requirements for growers with employees that handle pesticides or work in treated fields. A treated field is any field that has had a pesticide applied within thirty days plus the days of the Restricted Entry Interval (REI) (i.e. if a pesticide has a REI of 7 days the field would be considered treated for 37 days after the application is completed). If employees handle pesticides or work in treated fields, then the employer must:

- Have emergency medical care planned,
- Post the name, address and phone number of the nearest medical care facility

For employees that handle pesticides, provide an area that is free from pesticides for employees to store personal clothing. Also provide a place to wash and change clothes in prior to and after they handle pesticides. Soap, water and towels must be provided for washing

For employees that handle pesticides, provide, maintain and clean all necessary personal protective equipment

Keep records of employees who are involved in fumigation (including application, tarpaulin cutting, removal or repair) for two years.

Have available to employees

- Pesticide Use Reports
- MSDS for all pesticides used
- PSIS leaflets

Post a completed copy of PSIS A-8,

For fieldworkers, post a completed copy of PSIS A-9 (either at the worksite or at a central gathering location)

Post application-specific information any time employees will be within ¼ mile of a treated field. The posting must include the

- Location of the treated area
- Time and date of the application
- Name and EPA Reg # of the pesticide
- Restricted Entry Interval
- Active ingredient

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TRAINING

Employers must:

Assure that employees are trained before they handle pesticides or work in a treated field. Training for handlers must be conducted every 12 months. Training for fieldworkers must be conducted every 5 years

Keep written records of training and a written training program for two years

Assure that the person training employees is qualified. Qualified instructors include

- Private Applicators
- People with Qualified Applicators Licenses or Certificates
- Pest Control Advisors

Assure that handlers are trained for each pesticide used

Assure that the training program covers all of the required topics

RESPIRATORS

If employees use respirators (including approved disposable respirators), then the employer must:

Provide appropriate respirators and assure that they are used

Have a written procedure for selecting, fitting, cleaning, sanitizing, inspecting and maintaining the respirators

Inspect respirators that are for standby or emergency use monthly and document the inspection on the respirator or on its container

Have a written, signed Medical Condition Statement completed before use

MEDICAL SUPERVISION PROGRAM

Employees that regularly handle organophosphate or carbamate pesticides with the signal word "Warning" or "Danger" must be involved in a Medical supervision program.

Keep records that identify the names of the employees, the pesticides used and the dates of

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use

An employee that handles these pesticides more than six days in a 30-day period (beginning with the first day of use) are considered to regularly handle the pesticides. If any employees are regular handlers the employer must:

Have a written agreement with a physician to provide medical supervision

For each employee who regularly handles these pesticides the employer must:

Have a baseline red cell and plasma cholinesterase levels determined

Monitor the red cell and plasma cholinesterase levels at the interval recommended by the physician, or if there is no recommendation by the physician, every 60 days

New employees must be tested at the end of the first three 30 day intervals

Post the name, address and phone number of the Medical Supervisor

All of the necessary forms are available at the Lake County Agricultural Commissioner's Office. If you have any questions please contact us at 263-0217. ☐

VINE MEALYBUG UPDATE - 2005

Another year of trapping for the Vine Mealybug (VMB) has come to a conclusion. There are many positive items to report from this program. No male VMB's were trapped countywide during this year's summer and fall trapping season. The increased trapping we had in the vicinity of last years find also came up negative for VMB. This is very encouraging, as it tends to indicate that an active infestation has not been established. We had a very good response from the grape growers as far as deploying and returning VMB traps that were made available by the Department of Agriculture. There were 22 growers, representing 2,000 + acres, which had 103 traps deployed at any given time during the season. We strongly encourage grape growers to continue to

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participate in this program next year (or start next year if you didn't participate this past season). The traps, pheromone, and reading of the traps are free and it serves as a tool to detect a potentially devastating pest early, thereby increasing the chances of control and possible eradication. The Department of Agriculture also deployed an additional 85 traps into roughly 70 different blocks for 47 more growers. This program covered 3,000 + acres of vineyards.

The Dept. of Ag. also drafted a reminder letter to all Lake County wine grape growers about the VMB and things to think about during harvest. The Lake County Wine Grape Commission (LCWGC) was very helpful in getting this letter out to all their members via their e-mail list and we thank them for doing that. The Ag. Department also sent a letter to all wineries operating in Lake county discussing the issue of how to handle stems, skins, and other winery debris. Grapes coming into the county pose a possible risk of introducing the VMB into Lake county vineyards through the mishandling of infested crush debris.

The VMB meeting held in May was very well attended by growers and field workers alike. Lots of good information was made available and the hands-on inspection/ID portion of the meeting was very valuable also. The Lake County UCCE office is maintaining a good resource of information about VMB on their website. Visit them at <http://celake.ucdavis.edu> and click on the Viticulture icon.

We look forward to working with the wine grape industry as a whole next year to continue to improve our trapping and detection efforts for this serious pest. ☺

STATEWIDE ENFORCEMENT RESPONSE POLICY (ERP)

The California Agricultural Commissioner and Sealers Association and the Department of Pesticide Regulations (DPR) has tightened the pesticide use enforcement regulations by agreeing on a new enforcement policy. This new policy reduces the

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enforcement options available to the Agricultural Commissioner (CAC) when non-compliance's are noted during an inspection. This policy will become part of the California Code of Regulations (CCR) in the near future. It will be very difficult for this department to take any enforcement action that doesn't comply with this code section. When Governor Schwarzenegger vetoed SB 455, a more stringent enforcement bill, he cited this new enforcement policy and promised to put it into regulation (CCR) in an expedited process.

To understand the new enforcement matrix, several terms need to be understood.

- Hazard or effect violations (HEV) are violations for which a prompt response is necessary to protect public health and safety, employee safety, the environment or for other important policy reasons.
- Unclassified violations (UV) are violations that are significant, but for which there is less of a need for a prompt response.
- Enforcement actions include administrative civil penalties (fines) and revocation or suspension of pesticide permits or county registrations.
- Compliance actions include the following: non-compliance's noted on inspection forms, documented compliance interviews, warning letters, notices of violations, cease and desist orders, prohibit harvest orders, crop seizures and pesticide seizures.
- Decision reports are official explanations and records of the CAC decision not to follow the ERP.

ERP is divided into three categories. They are Class A (serious), Class B (moderate) and Class C (minor). The following are examples of violations which fit in these categories. This is not an inclusive list and there are other violations that are not listed here. The purpose of these examples is to give a general idea of Class A, B, and C violations.

Class A violations include the following:

- Employee injuries due to lack of personal

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protective equipment (PPE) (i.e.: rubber gloves, eye protection, etc.) and/or decontamination facilities (i.e.: soap, water, single-use towels, etc).

- Pesticide drift that results in personal injuries or property damage.
- Applying pesticides on commodities or sites not listed on the label that resulted in personal or environmental damage.
- Intentionally applying pesticides on commodities or sites not listed on the label.
- Violations that repeat Class B and C violations.

Class B violations include the following:

- Employees not wearing the PPE required by state laws and regulations, and/or not provided with complete decontamination facilities.
- Pesticide drift that did not result in personal injuries or property damage.
- Employee's hand pouring Category I (danger) liquid pesticides (i.e.: gramoxone).
- Applying a restricted use pesticide without a valid permit, failure to file a Notice of Intent or failure to post an orchard/vineyard (if required).
- Applying pesticides on commodities or sites not listed on the label that did not result in personal injuries or environmental damage provided it was accidental and not intentional.
- Not having current written records of training for employees (applicators and fieldworkers) and other records involving a headquarter inspection.
- Not locking or posting a pesticide storage area that has pesticides with the signal word "Danger" or "Warning".
- Unlicensed and/or unregistered pest control operators applying pesticides for hire.
- Violations that repeat Class C violations.
- Growers/owners not wearing the PPE required by the label.

Continued on next column

Class C violations include the following:

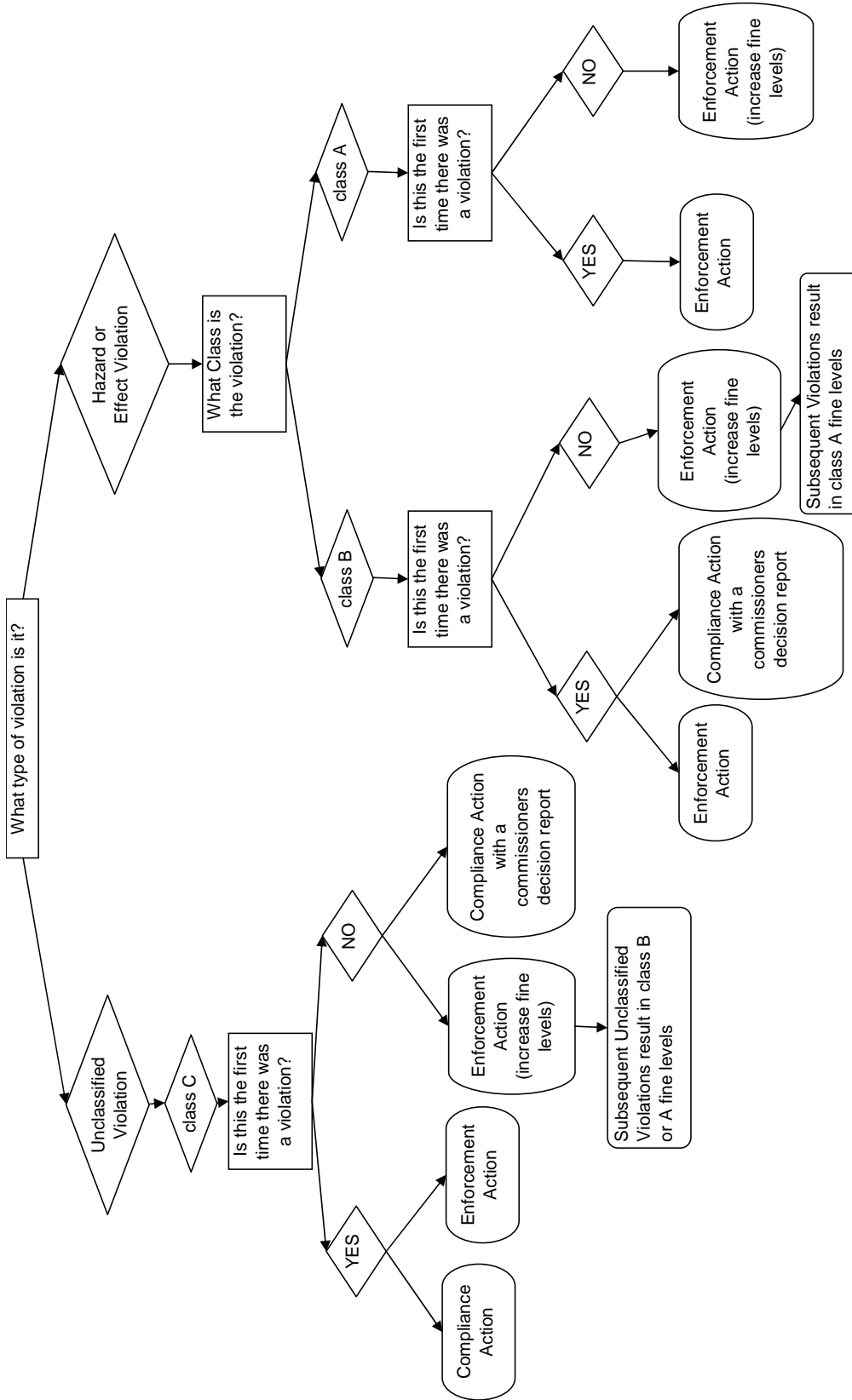
- Failure to submit Pesticide Use Reports.
- Pesticide applications using expired Operator Identification Numbers
- Finding incomplete records at headquarter inspections.

ERP requires "enforcement action" to be taken for all Class A violations. For Class B violations, for a first incident, "compliance action" is an option, provided I complete a "decision report". This is not an option if a Class B violation occurs again within a two (2) year period. A decision report requires that I give a good reason why enforcement action wasn't taken. Good reasons not to take enforcement action is having an excellent compliance record prior to the inspection and correcting the non-compliance(s) during the inspections. For Class C violations, compliance action is possible for the first two violations that occur but not a third time. Class B and C violations can be elevated up to Class A if the violations continue. When they are elevated, compliance action is not an option.

ERP is in effect right now.

Keep this in mind as the spray season approaches. We will be conducting headquarter inspections in November and December so make sure you have everything that you need before the inspection occurs. These inspections are done by appointment so feel free to contact our office at (707) 263-0217 to discuss the requirements and obtain the necessary forms before the inspection occurs. In addition, if you want to go over the application inspection requirements and/or fieldworker inspection requirements, please contact us and we will be happy to go over it with you. I prefer to prevent problems through education and cooperation rather than be forced to take enforcement action due to ERP.

In summary, ERP is a dramatic step in pesticide use enforcement. Please contact my office at (707) 263-0217 if you have any questions, big or small, about how comply with all the pesticide laws and regulations. ☺



Enforcement Actions-Fines (agricultural civil penalties) revoked permits, suspended or refused registrations

Compliance Actions- warning letters, Notice of Violations, inspections forms with one or more non-compliances noted or compliance interviews

Decision report- a report written by the commissioner telling DPR why he chose not to issue an enforcement action for the violation. The commissioner must have a compelling reason to forgo the Enforcement action

Hazard or Effect Violation-violations that create a health or environmental hazard or effect

Unclassified Violation-violations that do not create a health or environmental hazard or effect

Class A - violations that either did create or could have created an actual health or environmental hazard or a second Class B violation

Class B - violations that create a potential for harm or a second Class C violation

Class C - violations that do not threaten health, property or the environment (Unclassified Violations)

Note: Class A, B and C are used to define fine levels/ranges.

Hazard- a source of danger

2005 INSPECTION REVIEW

Below is a summary of inspections conducted in 2005.

Application Inspections

Number of Inspections-17

Number of violations found-5

Section	# times violated	Description
6734	3	decontamination facilities
6734(c)	3	eye wash immediately available
6738	1	regulation required PPE

Mix and Load Inspections

Number of Inspections-10

Number of Violations found- 7

Section	# times violated	Description
6602	1	registered label at use site
6676	1	pesticide container labeled
6726	1	emergency medical care posting
6734(c)	1	eyewash immediately available
6738	2	regulation required
12973	1	Labeling PPE

Headquarters/Records Inspections

Number of inspections-13

Number of violations found-26

Section	# times violated	Description
6618	1	employees notified of applications
6674	1	pesticide storage posting
6676	1	pesticide containers properly labeled
6723	2	hazardous communication - handler
6723.1	2	application specific information posting-handler
6724	1	written training program
6724(b)	2	required training topics
6724(d)	3	handler training prior to handling
6724(e)	2	complete training records 2years
6738(h)(3)	2	written respirator operating procedures
6738(h)(6)	1	medical condition statement
6761	1	hazardous communication-fieldworker
6761.1	2	application specific information -fieldworker
6764	5	fieldworker training

NEW DORMANT SPRAY REGULATIONS

The Department of Pesticide Regulations has **proposed** new dormant spray requirements in an attempt to prevent insecticide contamination of water bodies in California. While the new regulations have not been adopted we wanted to let you know what has been proposed.

If the new regulations are adopted they will restrict the application of dormant insecticides (i.e. diazinon, chlorpyrifos-Lorsban) near irrigation ditches or other bodies of water.

The regulation allows the application of dormant insecticides only if:

- the application is at a site that does not produce run-off that goes to any body of water

or

- if the run-off can be contained for 72 hours before it is released into a body of water

If the above requirements cannot be met, then the grower must:

- Get a written recommendation for the pesticide
- Ensure that the application will not take place within 100 feet of a water way
- Ensure that the wind speed during the application is 3-10 miles per hour at the upwind perimeter

AND

- Ensure that the National Weather Service has not predicted a storm that will produce run-off for the 48 hours following the application
- No aerial application unless soil conditions prevent ground applications

These regulations would not affect applications of dormant oil, spinosad or *Bacillus sp.*

GLASSY-WINGED SHARPSHOOTER NEWS

No Glassy-Winged Sharpshooters (GWSS) were detected in 2005. This remains very good news for all of Lake county agriculture, as the GWSS can vector many serious diseases of commercial crops and ornamental/landscape plants alike. The Department of Agriculture runs a trapping program annually for this pest in urban/rural residential settings, retail nurseries, wholesale (growing grounds) nurseries, and commercial vineyards. The traps are in the field and serviced bi-weekly from mid-April to the end of October. Additionally, we inspect literally every shipment of plants coming into the county that originates from an infested growing area (mostly southern California). These inspections can be tedious and time-consuming, as (ideally) every leaf each host plant in each shipment is visually examined for life stages (egg masses, nymphs, or adults) of GWSS. This requires a substantial man-hour commitment, namely 15+% of the department's total annual man-hour allotment for all programs in Ag. and Weights and Measures combined. We feel this is justified, as this is our last opportunity to possibly intercept and quarantine any infested shipment prior to its release for sale to the general public. We have intercepted egg masses in the past and are continually vigilant for any new introductions. We appreciate the cooperation of wholesalers, retailers, and landscapers who notify us of incoming shipments and facilitate our inspections. They play a critical role in keeping the GWSS out of Lake county.

Grape growers should have an in-house program of detection trapping for this pest. The traps are not too expensive and are easy to assemble and deploy. We use the all-purpose Adult Monitoring (AM) yellow sticky panel trap. There are other types of traps available for GWSS, so consult your PCA for details. The CDFA has informed us that the commercial vineyard trapping aspect of the program will be dropped starting in 2006. Given this, an in-house detection program just makes sense. As they are blunder traps, they serve as a valuable management tool because you get a picture of all the bugs in the vineyard, not just the presence or absence of GWSS.☞

Submitted by: Chuck Morse, Deputy Ag. Commissioner

AG COMMISSIONER'S STAFF

Agricultural Commissioner/Sealer

Steven Hajik

Deputy Commissioner/Deputy Sealer

Chuck Morse

Ag Biologist/Weights and Measures Inspector III

Drew Trichler

Dana Thibeau

Kristine Eutenier

Denise Patrick

Secretary

Marcy Harrison

Insect Trappers

Lynn Eutenier

Kristi Bloomquist

USEFUL WEBSITES

State Departments

CA Dept. of Pesticide Regulation

www.cdpr.ca.gov

CA Dept. of Food and Agriculture

www.cdffa.ca.gov

Laws and Regulations

Recent and Proposed Regulations

<http://www.cdpr.ca.gov/docs/legbills/regshome.htm>

California Code of Regulations

<http://ccr.oal.ca.gov/>

California Food and Agriculture Code

<http://www.leginfo.ca.gov>

Business and Professions Code

<http://www.leginfo.ca.gov>

Pesticides Related

Manufacturer's Labels and MSDS

www.cdms.net/manuf/default.asp

www.greenbook.net

EPA Registration Numbers

www.cdpr.ca.gov/docs/label/labelque.htm

UC Pesticide Safety Training Program

www.ipm.ucdavis.edu/GENERAL/pesticides.html

Pesticide Safety Information Series (PSIS)

<http://www.cdpr.ca.gov/docs/whs/psisenglish>

Licenses and Certification

Continuing Education Classes

<http://www.cdpr.ca.gov/docs/license/classes.htm>

Continuing Education Courses Online (CEOC, LLC)

www.cepestmngt.com

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USEFUL WEBSITES CONTINUED

License and Certificate Applications

<http://www.cdpr.ca.gov/docs/license/lictypes.htm>

Licensing and Certification Program Information

<http://www.cdpr.ca.gov/docs/license/liccert.htm>

Other Information

Lake County Farm Bureau

<http://www.lcfb.com>

Lake County UCCE

<http://celake.ucdavis.edu>

Crop Reports

<http://www.lakecounty.com/agritourism/publications/publications.asp>

Measurement Conversions

www.onlineconversion.com

Sudden Oak Death Information

<http://cemarin.ucdavis.edu/index2.html>

<http://suddenoakdeath.org>

Integrated Pest Management

www.ipm.ucdavis.edu

Glassy-Winged Sharpshooter

<http://www.cdfa.ca.gov/phpps/pdcp/index.htm>

<http://danrcs.ucdavis.edu>

West Nile Virus

www.westnile.ca.gov

Noxious Weeds Information

http://www.cdfa.ca.gov/phpps/ipc/noxweedinfo/noxwinfo_hp.htm



COUNTY OF LAKE

Department of Agriculture
Department of Weights & Measures
883 Lakeport Blvd.
Lakeport CA 95453
Phone: (707) 263-0217
FAX: (707) 263-1052

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