

# Pesticide Update

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## Don't forget to keep up with your Worker Protection Standards!

The Environmental Protection Agency has revised the 1992 Agricultural Worker Protection Standard regulation to increase protection and reduce the risks of injury or illness resulting from agricultural workers

- Annual mandatory training for workers and handlers
- Use EPA approved training materials
- Employers must provide a system that can deliver gently running water for emergency eye flushing for handlers at mixing/loading sites
- During pesticide applications, agricultural employers must keep workers and other persons out of the Application Exclusion Zones (AEZ) surrounding the pesticide application equipment
- When a respirator is required by product labeling, applicators must complete a medical evaluation and be fit tested annually. The employer must train the applicators and maintain records
- All pesticide handlers or early entry workers must be at least 18 years of age before applying any pesticide or assisting with an application or entering into a treated site before the REI has expired.
- A Worker or Handler may designate a representative, who may act on their part to request and obtain a copy of the pesticide application and hazard information for the period of their employment on a farm.



- New application-exclusion zones up to 100 feet surrounding pesticide application equipment
- Mandatory record-keeping to improve states' ability to follow up on pesticide violations and enforce compliance. Records of application-specific pesticide information, as well as farmworker training, must be kept for two years.
- Growers need to display pesticide application information within 24 hours of the application and maintain the records for two years. The Safety Data Sheets must now be maintained and made available to your workers and handlers.

## Ornamental & Turf Applicators

### To clarify a question that is often asked;

“Can applicators with an Ornamental & Turf license, advertise and perform service for the control of ticks, fleas, etc. in yards?”

Answer: **NO**. Ornamental & Turf will allow you to treat many landscape pests including fire ants, but in order to advertise and treat for ticks and fleas in people's yards, you will need to add the Public Health category to your license.

## DO YOU HAVE ENOUGH CREDITS TO RECERTIFY?

Attend a class now before your busy season starts!

**Check your credits online here:**

<http://www.ncagr.gov/SPCAP/LicenseSearch.htm>

**Find approved continuing education courses here:**

<https://apps.ncagr.gov/AgRSysPortalV2/course/calendar>

**See how many continuing education credits are required for your license category here:**

<http://www.ncagr.gov/SPCAP/pesticides/RECREDRE.HTM>

## Auxin and Paraquat Training

All applicators must have a commercial pesticide license or private pesticide certification **AND** have completed the updated auxin-specific training, and Paraquat training for 2022.

The training: “**Auxin Herbicides – Best Management Practices**” must be approved by the North Carolina Department of Agriculture and Consumer Services (NCDA&CS). **The paraquat training** can be completed online by going to <http://www.usparaquattraining.com/> or can be completed in-person through NCSU Cooperative Extension Agency and other participating entities. Paraquat training must be completed individually with a **100% on the final assessment to obtain a completion certificate**. Licensees attending these trainings will earn 1 continuing education credit in the N, O, D, and X categories for each training.

For more information, contact the NCDA&CS at 919-733-3556, contact your local County Cooperative Extension Service office, or visit <http://www.ncagr.gov/spcap/pesticides/auxin.htm>, <https://www.ncagr.gov/spcap/pesticides/paraquat.htm>.

### RECERTIFICATION REMINDERS

When you add a category to an existing license, your certification expiration date **does not change**.

Certification credits for the new category must be earned by your current certification expiration date, **unless** the new category was added in the same year that you recertify.

For commercial and public licenses, credits for **each** category must be obtained in at least **2 different calendar years**.

If your certification date is 6/30/2022 or 9/30/2022 but your license does not expire until 12/31/2022,

**you must get your credits by your certification date.**  
**ONLINE TESTING AND COURSES AVAILABLE NOW!**

# North Carolina Pesticide Board Actions



*At the Spring 2022 meetings of the North Carolina Pesticide Board, the following settlement agreements were approved for alleged violations of the NC Pesticide Law of 1971. Consent to the terms of the settlement agreement does not constitute an admission of guilt to any alleged violation.*

- **Andre M Bland**, a licensed commercial pesticide applicator for Harvey's Fertilizer and Gas Co. in Cove City agreed to pay \$800 after a pesticide application to his corn and soybean fields drifted to a nearby pasture.
- **Chance W Rosenberger**, the owner and operator of Curb Appeal Landscaping in Charlotte, agreed to pay \$800 for applying pesticides in Huntersville with an expired license.
- **Charles Boyd**, the holder of a pesticide applicator license for W.N.C. Landscaping and Nursery in Waynesville, agreed to pay \$800 for applying pesticides with an expired license.
- **Christine Ruiz**, of J&R Landscaping based in Lancaster SC, agreed to pay \$800 for applying pesticide in Dallas without a license.
- **Christopher R Wiggins**, a private pesticide applicator, agreed to pay \$1200 after two employees applied pesticides that came in contact with field workers, the application was found to be in violation of several pesticide laws/regulations including the provision that requires training in the states of WPS.
- **Dennis Wilson**, owner of Green Rite Lawn Care in Durham, agreed to pay \$800 for applying herbicides without a commercial pesticide applicator's license.
- **Don A Smith**, a licensed commercial pesticide applicator for Ultimate Property Maintenance/Third Day Market in Jefferson, agreed to pay \$2800 for not following the state WPS that outlines recordkeeping for pesticide applications, worker training and provision of personal protective equipment. Smith was also found to have used pesticides not approved for use in the business's greenhouse.
- **Drew Griffin**, the holder of a pesticide dealer license for TriEast Ag Group in Greenville, agreed to pay \$800 for improper sale of soil fumigants to four customer who were not certified in the soil fumigation category.
- **Harold E Apple Jr**, a licensed private pesticide applicator in Gibsonville agreed to pay \$600 for applying soil fumigants when his certification in the soil fumigation category had expired.
- **James G Hite Jr.**, of Greentech Land Care in Ayden, agreed to pay \$800 for applying pesticides in Washington without a license.
- **Jamie Beasley**, a licensed private pesticide applicator, agree to pay \$600 after a pesticide application to his corn field drifted to a pepper field on nearby property.
- **Jeff Benfield**, a licensed private pesticide applicator for Benfield Nursery in Newland, agreed to pay \$500 for applying pesticide to Christmas tree although the pesticide label states it should not be used in nurseries or on plants grown for commercial sale.

## North Carolina Pesticide Board Actions Continued

- **Jerry A Dowles Jr.** the holder of a private pesticide applicator license. Agreed to pay \$800 for failing to follow state WPS in relations to his peach orchard near East Arcadia and for applying pesticides with an expired applicator certificate.
- **Jerry R Robinson**, a licensed private applicator agreed to pay \$600 after a drift from his herbicide application to a strawberry field damaged trees in a nearby residential yard in Whiteville, NC pesticide law states that no person shall apply pesticides under such conditions that drift from pesticide particles or vapors results in adverse effects.
- **Jerry W. Edwards**, a licensed private pesticide applicator agreed to pay \$1400 for burning pesticide containers in Sparta. The improper disposal violated several NC pesticide laws/regulations related to storage and disposal and endangerment of people, plants, animals, food, water, and the environment.
- **Jodon C Jamison**, the holder of a commercial pesticide applicator license for Crow Creek Golf Course in Calabash, agreed to pay \$800 for contaminating a pond at the course with pesticides.
- **Kenneth R Poorman**, agreed to pay \$500 after a pesticide application to a pasture in Pinetown drifts onto people on a residential deck on the adjacent property.
- **Kyle G Easley**, of Easley Does It Landscapes in Greenville, agreed to pay \$1200 for applying pesticides without a license.
- **Landon S Dail**, a licensed private application agrees to pay \$500 after his pesticide application to an agricultural field drifted into a nearby residential yard in Tarboro.
- **Mark A Smith**, a licensed pesticide dealer for Nutrien Ag Solutions in Norwood, agreed to pay \$1500 for selling and repackaging into inappropriate storage containers on a farm in Monroe.
- **Michael J Moudry**, the holder of a commercial pesticide applicator license for Lakewinds Golf Course in Rougemont, agreed to pay \$1200 for applying pesticide with an expired license.
- **Mitchell Bottomley**, a licensed private applicator agreed to pay \$700 because an employee applying an herbicide to corn allowed the herbicides to drift onto adjacent property, which damaged apple trees and grass.
- **Roger E Johnsonbaugh**, a licensed aerial pesticide applicator for Helicopter Applicators in Gettysburg, PA, agreed to pay \$1200 after an application of pesticide to forest land west of Wastonburg drifted onto a nearby soybean crop, causing damage to the plants.
- **Simplot Agribusiness**, parent company of the Simplot Turf & Horticulture location in Charlotte, agreed to pay

# Resources

## PESTICIDE SECTION

- INFORMATION & ASSISTANCE WITH PESTICIDE REGULATIONS & COMPLIANCE
- PESTICIDE CERTIFICATION & LICENSING QUESTIONS
- EXAM SCHEDULES & REGISTRATION
- RECERTIFICATION CREDIT QUESTIONS & APPROVED COURSES

NC Department of Agriculture & Consumer Services  
Structural Pest Control and Pesticides Division  
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<http://www.ncagr.gov/SPCAP/pesticides/>

### **POLLINATOR PROTECTION:**

<http://ncagr.gov/spcap/bee/>

### **PESTICIDE WASTE DISPOSAL:**

Derrick Bell  
<http://www.ncagr.gov/SPCAP/pesticides/pdap/>

## PESTICIDE SCHOOLS AND MATERIALS FOR CERTIFICATION & RECERTIFICATION

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