

Pesticide Laws and Regulations



Pesticide Applicator Exam
Preparation Seminar

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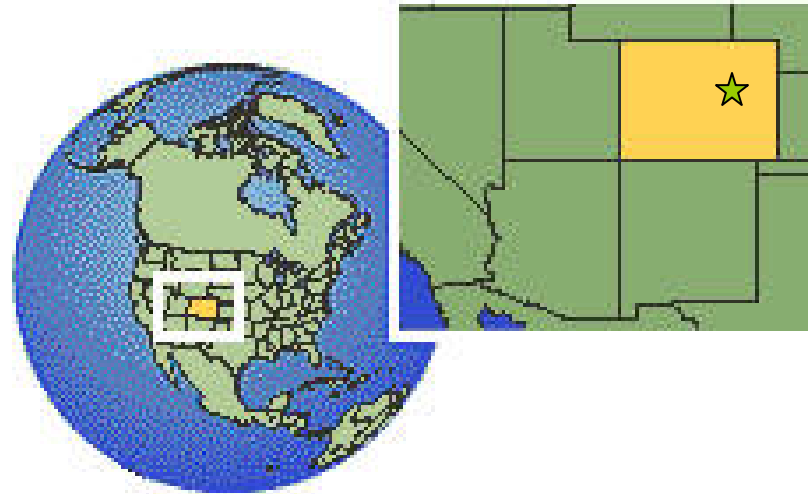
Colorado State University Extension

Why do we need to regulate pesticides?

- Federal and state laws & regulations:
 - Insure safety
 - Insure effectiveness (registration standards)
 - Minimize harmful effects to humans, wildlife and other organisms

Categories

- ❑ Federal Laws & Regulations
- ❑ State of Colorado Laws & Regulations
- ❑ Local Regulations & Ordinances



Categories

- Federal Laws & Regulations
 - FIFRA
 - FFDCA
 - FQPA
 - WPS
 - ESA
 - SARA
 - Transportation & hazardous waste laws
- State of Colorado Laws & Regulations
- Local Regulations & Ordinances

FIFRA: Federal Insecticide, Fungicide and Rodenticide Act

- Regulates:
 - Registration
 - Manufacture
 - Sale
 - Transportation
 - Use of pesticides
- **This act set the standard for labeling pesticides.**

FIFRA: Federal Insecticide, Fungicide and Rodenticide Act

- Pesticide classifications:
 - GENERAL USE (aka Unclassified)
 - No license required
 - Considered less toxic, less harmful to humans or environment
 - RESTRICTED USE (RUP)
 - Applicators license required
 - Considered more risky to humans or environment, so application training is required
 - Can an active ingredient (AI) be classified both general & restricted?



FIFRA: Federal Insecticide, Fungicide and Rodenticide Act

- Certification of applicators
 - RUP's sold only to certified applicators
 - Two types of applicators
 - Private & commercial
 - EPA-approved certification program

FIFRA: Federal Insecticide, Fungicide and Rodenticide Act

- Labeling
 - Illegal to use pesticide inconsistent with label
 - You are legally obligated to read and follow label and associated material



FIFRA: Federal Insecticide, Fungicide and Rodenticide Act

- All pesticides must be registered with EPA
- Types of labels
 - Section 3-Full label
 - Section 24c-Special local needs label
 - Section 18-Emergency exemption
 - Section 25b-Minimum risk pesticides

FIFRA: Federal Insecticide, Fungicide and Rodenticide Act

- Pesticide Re-registration
 - Review of older pesticides for health & safety
 - New standards
 - “with reasonable certainty” no harm to infants, children, sensitive individuals
 - Considers cumulative effect
 - All pesticides reviewed every 15 years

FIFRA: Federal Insecticide, Fungicide and Rodenticide Act

□ Residues & Tolerances

- What is a residue?
 - Amount of pesticide left on food at harvest
- What is a tolerance?
 - The maximum allowed residue
 - Includes margin of safety
 - Considers aggregate and cumulative effects



FIFRA: Federal Insecticide, Fungicide and Rodenticide Act

- Storage & Disposal
 - Label must provide information on disposal of excess pesticide and rinsate
- Penalties for violations
 - Civil
 - Criminal

FFDCA: Federal Food, Drug and Cosmetic Act

- Regulates pesticide tolerances in food and feed

FQPA: Food Quality Protection Act

- Passed 1996
- Amends both FIFRA and FFDCA to provide a comprehensive and protective scheme for pesticides.

FQPA: Food Quality Protection Act

- ❑ Set health based standard for pesticide risk
 - Based on aggregate and cumulative risks
 - Includes children's risk when setting tolerances
- ❑ Requires testing of toxicity as 'endocrine disrupters'
- ❑ Re-review older pesticides based on new standard



WPS: Workers Protection Standards

- Requires ag business owners to protect and inform employees
 - Training
 - Notification of pesticide applications
 - Posted safety data
 - Emergency medical assistance



ESA: Endangered Species Act

- ❑ 1973
- ❑ Protect animal and plant species that are threatened or in danger of becoming extinct, and to conserve their habitats.
- ❑ Registration based on direct effect as well as habitat effect
 - Colorado species protected under ESA
 - ❑ 19 birds
 - ❑ 23 fish
 - ❑ 12 plants
 - ❑ 7 amphibians
 - ❑ 13 mammals
 - ❑ 10 reptiles
 - ❑ 2 mollusks



Rio Grande Cutthroat Trout

SARA: Superfund Amendments and Reauthorization Act

- Superfund Amendments and Reauthorization Act
 - regulates storage of pesticides and handling pesticide spills.
- Emergency Planning and Community Right-to-Know Act
 - requires that storage of certain pesticides in amounts above a specified minimum be reported to local and state authorities.

SARA: Superfund Amendments and Reauthorization Act

- You must report storage of pesticides that exceed minimum amounts listed in SARA III section 302 and any spills to:
 - State planning committee
 - Colorado Emergency Planning Committee c/o Colorado Department of Health and Environment
 - Local planning department
 - i.e. Jefferson County Planning Department
 - Local fire department

US DOT: Interstate transport of pesticides

- ❑ Keep in original package
- ❑ Proper signage on vehicle
- ❑ No mixed loads (food/feed with pesticides)
- ❑ Notify DOT after any serious accident
- ❑ Notify DOT about spills during shipment

Categories

- Federal Laws & Regulations
- State of Colorado Laws & Regulations
 - Colorado Pesticide Applicator's Act
 - Colorado Pesticide Act
 - Agricultural Chemicals and Groundwater Protection Act
 - Transportation, solid & hazardous waste laws
- Local Regulations & Ordinances

CO Pesticide Applicator's Act

- READ (add in scanned covers?)

CO Pesticide Applicator's Act

-Who must be licensed?

- ❑ Commercial applicator
 - any business applying ANY pesticides FOR HIRE
- ❑ Limited commercial applicator
 - Anyone applying restricted use pesticides (RUP) on property they own or lease
- ❑ Public applicator
 - Parks, Highway departments
- ❑ Certified operator (CO)
 - Mixes, loads, applies under supervision
- ❑ Qualified supervisor (QS)

CO Pesticide Applicator's Act

-Application records

- ❑ Record ALL pesticide applications
 - Name & address
 - Target pest
 - Site/crop/commodity/structure treated
 - EPA registration number
 - Dilution rate
 - Application rate (amount/area)
 - Time & date
 - Applicator's name
- ❑ How long should records be kept?
 - 3 years



CO Pesticide Applicator's Act

-Invoice statement

- *"Commercial applicators are licensed by the Colorado Department of Agriculture"* must be on all invoices

CO Pesticide Applicator's Act

-Business requirements

- ❑ Original pesticide packaging or copy of label must be present on-site when application is made

CO Pesticide Applicator's Act

-Pesticide storage areas

- ❑ Store pesticides in separate, clean, orderly, locked area with signs posted indicating pesticides are present
- ❑ If requested, fire department needs location and MSDS forms
- ❑ Extinguisher rated for chemical fires
- ❑ Label "service containers" with common name of AI, EPA registration number, applicators name, and hazard signal word



CO Pesticide Applicator's Act -Service vehicle ID

- ❑ Label all vehicles that carry or apply pesticides (cars, trucks, trailers, etc.) on both sides with:
 - Company name (2 inches high)
 - Company address (1 inch high)
- ❑ If not possible due to vehicle size/design:
 - Company name (>1 inch high) on one side



CO Pesticide Applicator's Act

-Posting requirements

- ❑ All applications need a posting
- ❑ Place sign where it can be easily read
 - By adults AND children
 - 18 inches above ground; No higher than 48 inches
 - 2-5 ft from sidewalk or road
- ❑ Place adjacent to treated areas
- ❑ Golf courses: clubhouse, first, and tenth tees

- ❑ What does the sign need to include?

CO Pesticide Applicator's Act -Posting requirements

<p>WARNING PESTICIDES APPLIED</p>  <p>NAME: _____ PHONE: _____</p> <p>Remove sign after 24 hours or per label requirements.</p>
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CO Pesticide Applicator's Act

-Notification requirements

- Registry of Pesticide Sensitive Persons
 - Notify all persons on or abutting application site
 - 24 hours prior to application
 - Include date and approximate time of application
 - Leave written notice if unable to contact
- Turf/Ornamental/Structural
 - Give written notice at time of application
 - Date applied
 - Precautionary info from pesticide label
- Agricultural
 - Give written notice AFTER application
 - Include pesticide name, amount, date applied, site, re-entry interval, grazing interval, crop rotation interval, precautionary info from pesticide label

CO Pesticide Applicator's Act

-Verifiable technician training

- ❑ Any technician working under a commercial, limited commercial or public applicator must be trained and records kept
- ❑ Specific hour requirements are listed in "Rules and Regulations..." and include classroom and on-the-job training

CO Pesticide Act

- Regulates
 - Registration
 - Labeling
 - Transportation
 - Distribution
 - Storage
 - Use
 - Disposal
- Emergency Exemptions
 - Section 18
- State Restricted Use Pesticides (page 21)

Agricultural Chemicals and Groundwater Protection Act

- Regulates mixing and loading of **large** quantities of pesticides & fertilizers
- What is a large quantity?
 - Annual
 - 500 gallons liquid formulated product
 - 3000 lbs dry formulated product
 - 1500 lb active ingredient (liquid/dry)
 - >15 days storage of 55 gallons liquid or 100 lbs dry

CO Transportation Laws

- ❑ Regulates movement of pesticides/hazardous material within Colorado
- ❑ Organizes emergency response in event of accidents
- ❑ Designates travel routes

CO Solid Waste & Hazardous Waste Laws

- Regulates disposal of both solid & hazardous waste
- Hazardous waste must be:
 - Identified
 - Marked with appropriate EPA number
 - Properly packaged and labeled
 - Have records kept for three years

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Questions?

□ QUIZ TIME!