



NEW MEXICO DEPARTMENT OF AGRICULTURE

Pesticide Applicator Newsletter

April 2004

Volume 1, Issue 1

Bureau Chief Notes: New Quarterly Newsletter

Bonnie Rabe, Bureau Chief

Inside this issue:

Licensing Information	2
NM Section 18s/24Cs	3
Pesticide label Info.	4-5
NM CEU Workshops	6

The first issue of our newsletter is here! I am really excited to begin a quarterly newsletter from our bureau to those we regulate and assist. We hope it will be a tool for us to keep you better informed of our activities, licensing deadlines, policy or program changes, continuing education opportunities, and other important issues concerning pesticides you may need to be aware of. We welcome any comments or suggestions you may have for future issues.

Update on Outcome of Fee Cap Legislation

Legislation authorizing an increase in the fee caps set in the New Mexico Pesticide Control Act was introduced in the 2004 legislative session. House and Senate Bills made it through each of the assigned committees with no opposition and the House Bill was passed on the House floor. Unfortunately, the Senate bill made it to the agenda but was not heard on the Senate floor. The legislature adjourned before the bill could be heard and voted on. The limited time of the 30 day session was the primary reason the bills died. We will be pursuing this legislation again in 2005.

Web Page Additions and Testing Program Changes

In the mean time, we are attempting to move forward with some of our planned program changes. We have added and will continue to add to the Pesticide Bureau page of the NMDA website. Recent additions include links to New Mexico Cooperative Extension Service, EPA Worker Protection Program, and the National Pesticide Information Center.

Most recently, the application for applicator and operator licenses are available for printing from our website. For anyone scheduled to test, we will begin asking that you print off an application (also available at the offices, by fax, or mail) and complete all requested information prior to testing. Also, you will not be required to fill out a new application each time for retests or when adding a category. The applications can also be used for transferring employees instead of going to the offices or waiting for one to be mailed to you. Beginning in May, we will offer the option of receiving notice of scores by e-mail. Please send us an e-mail notifying us of your e-mail address. You can click on the 'Contact Me' button next to my name on the Pesticide Bureau's main page (<http://nmdaweb.nmsu.edu/DIVISIONS/AES/pest.html>).

Regulation Revisions

We are beginning to plan some meetings with industry groups and requesting comments from applicators concerning proposed regulation changes. Regulation revisions do not require legislative approval, but are presented before the Board of Regents of New Mexico State University for approval. Currently under revision is the state restricted-use pesticide regulation (21 NMAC 17.56) as it pertains to permits for application of 2,4-D in Curry and Roosevelt counties. Also the wood destroying organism regulation (21 NMAC 17.51) is also being revised. Draft revisions will be on our website when completed. We will be sending announcements concerning meetings and provisions for commenting at that time. Feel free to inform me of any suggestions or comments you may have about these regulations.

Special points of interest:

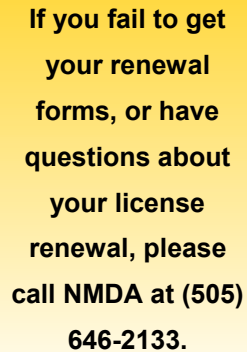
- Licensing Deadlines
- NM Section 18s and 24Cs
- Pesticide Label Info.
- 2004 CEU Courses for April through June are listed on the back page.



Licensing Exam Information

Patty Rios, Licensing Specialist

NOTE: NEW LICENSING EXAM POLICIES—Applications can be found on our web-site or can be obtained by fax, mail, or in person at the office. The application needs to be filled out completely and brought to the testing session. Incomplete applications will **NOT** be processed.



If you fail to get your renewal forms, or have questions about your license renewal, please call NMDA at (505) 646-2133.

- Licensing exams are given the 1st and 3rd Monday of each month in Albuquerque at the Albuquerque District Office, (505-841-9425, 2604 Aztec NE, Albuquerque, NM 87107) at 9:00 am and 1:30 pm. You are required to sign-up to be allowed to test.
- Licensing exams are given the 2nd and 4th Monday of each month in Las Cruces at New Mexico Department of Agriculture (505-646-2133; 3190 S. Espina, Las Cruces, NM 88003 (NMSU campus)) beginning at 9:00 am. You are required to sign-up to be allowed to test.
- The cost of each exam is \$5.00. No cash will be accepted. We accept check or money orders made out to New Mexico Department of Agriculture (NMDA).

Please allow 10 working days for processing your exams.

NOTE: New Mexico has reciprocal agreements with the Texas Department of Agriculture, the Arizona Department of Agriculture and the Oklahoma Department of Agriculture. The reciprocal agreements do not include the structural boards.

Licensing Deadlines for April through June 2004

Patty Rios, Licensing Specialist

April

Non-commercial applicator licenses expire on

April 30, 2004. Renewal forms were mailed out on

March 15, 2004. If you have not received your renewal form, please call our office at (505) 646-2133.

June

Public applicator licenses for 2004 will expire on

June 30, 2004. Renewal forms will be mailed out on

May 17, 2004. If you have not received your renewal form by June 1st, please call our office at (505) 646-2133.

New Mexico Section 18's and 24C's for 2004-2005
Cary Hamilton, Pesticide Registration/Endangered Species Specialist

Section 18's

Crop	Pest	Pesticide Product	EPA Reg. #	Submitted	Approved	Counties
Bee Hives	Varroa mite	CheckMite+	None	1/16/2004	2/1/04-8/1/04	All NM
Sorghum	Ergot	Tilt	100-617	1/20/2004		UN, HA, QU, CU, RO, CH, ED, LE, DA, LU
Onion	Thrips	SpinTor 2SC				
Chile/Peppers	Powdery Mildew	Nova				
Alfalfa	Lepidoptera larvae	Tracer				

24C's

Crop	Pest	Approved Pesticide Product	EPA Reg. #	NM SLN	Submitted/ Reason	Counties
Pecans	Black/Yellow Aphids	Admire 2F (Bayer)	264-758	NM-030001	5/5/03- Better control	All NM
Pecans	Crows/Ravens	DRC-1339 (USDA) RUP	56228-30	NM-030003	10/10/03- Pecan depredation	DA ONLY
Rio Grande	Salt Cedar	Arsenal (BASF)	241-346	NM-02001	9/9/02- Water conversation	Pecos/Rio Grande
Chile	Nematodes	TeloneEC (DOW) RUP	62719-32	NM-980001	2/13/98- Control in drip systems	All NM
Chile	Thrips/Flea beetles	Furadan 4F (FMC) RUP	279-2876	NM-980002	4/27/98- Insect damage	All NM

Pending/Under Review

Crop	Pest	Pesticide Product	EPA Reg. #	NM SLN	Submitted/ Reason	Counties
Cotton	Pink bollworm	Lock-On (DOW) RUP	62719-79	NM-040001	3/24/04- 3 extra applications	LU, DA, SI
Onion/Peppers	Nematodes/ Pink Root	In-Line Telone (DOW)			No Tarp	DA, LU, SI, CH, ED, HI

Interpreting Termite Label Statements

Bonnie Rabe, Bureau Chief

With more and more termite treatments being performed and termiticide labels varying in directions for use, it can be difficult to assure adherence to the label and still perform an adequate job for the customer. Recently several questions have come up concerning allowable uses of various products—primarily in relation to ‘complete’ versus ‘spot’ treatments.

As an example, a label may have directions for post construction treatment of termites with general directions as well as with various treatment sections such as exterior treatment, interior treatment, hollow block, structures with wells, basements, etc. If there are general statements under post construction, which state the product is required to be applied to all applicable areas, then you would have to treat as indicated under all sections that applies to that structure. If it says it is recommended (‘applicator may’ or applicator should’) that the product be apply to areas such as ..., then you as the applicator may determine which area will be included and then follow all directions listed under the applicable section(s). This is the same concept for pretreatment directions and determining if the label requires horizontal and vertical treatment or allows one or the other.

Another example is the difference in specific wording used on termiticide labels. If under exterior treatment the label states to treat the perimeter, then the entire perimeter of the home must be treated. The word perimeter is all inclusive. One wall cannot be determined to be the perimeter, since perimeter means a boundary enclosing or surrounding a structure. Another label may state to establish a ‘treatment zone’ on the exterior. In this case, the applicator may delineate a specific area to be treated (for example: along only two exterior walls).

Applicators are encouraged to carefully read the label of the products they use. Since some labels may be more restrictive, applicators may choose to select from several termiticides for different jobs rather than be dedicated to the use of only one product, which may restrict the treatment of a particular structure. As always, another key to verifying proper application of a termiticide is to draw a specific and complete graph of the structure and accurately record all areas and types of treatment. If the employee doing the inspection draws an initial graph and indicates proposed areas of treatment, the technician making the application is required to make revisions to the graph if the actual treatment differs in any way. If an area of a home cannot be treated due to the type of construction (improper footings, remodeling, heating ducts, plumbing, etc.), this must be indicated on the graph and is not considered a label violation. If however, simply due to additional labor involved or by the choice of the applicator, an area is not treated as required by the label, it will be considered a violation. This is when an applicator should compare product labels to see if another product better fits both the consumer’s needs and your goal of obtaining an effective treatment while complying with label requirements.



Pesticide Label Information

Marjorie Lewis, Enforcement and Grants Specialist

Everyone knows that you should read the label before you **use** a pesticide. Another good time to read the label is before you **buy** a product. Remember that the salesperson has different goals than you! Review the label before you buy a pesticide **AND** before you use it. Refer to it frequently. Specimen labels that you looked at on the internet or were handed out at a meeting might not match the one on the container you buy. Remember that products and directions for use change over time. Sometimes a product with the same brand name may even have a different active ingredient than it did a year ago. Just because your supplier says you can do something doesn't mean you're absolved from your responsibility to follow the label. If you can't find it on the label, don't do it. **Failing to follow label directions is a violation of the law.** Read the entire label, and:

- Only treat **labeled sites**; if the label has no directions for treating the site (object, crop, animal, etc.), don't treat it.
- Treat at **labeled rates**. Remember that termiticides cannot be applied at lower rates than the label specifies. Handouts, internet information, or the recommendations of a registrant or dealer **cannot** supercede the label on the product itself.
- Pay attention to the **personal protective gear** required for your task; make sure all of your operators do, too.
- Use the appropriate **application equipment** for your task.
- Note the **waiting period** or **restricted-entry interval (REI)** before allowing customers or workers to re-enter a treated area.
- **Triple-rinse containers and render them unusable** and dispose of or recycle according to the label.

Remember, pesticides are regulated because we care about families, pets, wildlife as well as our water, soil, and air.

Recent Civil Penalties Issued

<u>Applicator</u>	<u>Violations</u>	<u>Penalty</u>
Private (agricultural)	Multiple label violations	License permanently revoked
Commercial (termite)	Multiple label violations, records deficiencies	Alternative compliance agreement of \$4,200, prenotification required, specified training required, probation
Commercial (structural)	Unlicensed operator, record deficiencies	Alternative compliance agreement of \$150, probation

Failing to follow label directions is a violation of the law. If you have questions about a label or product, please call NMDA at (505) 646-2133.

**New Mexico Department of
Agriculture**

01-3-46809

Bureau of Pesticide Management
PO Box 30005-MSC 3AQ
Las Cruces, New Mexico 88003-8005

Phone: 505-646-2133
Fax: 505-646-5977
Website: www.nmda.nmsu.edu



New Mexico CEU Workshops for April-June 2004

Katrina Beverage, Certification and Training Specialist

NMDA's CEU website is updated approximately every 2 weeks.
Please check there for workshops that might not be listed here.

April

Wood Destroying Insects	Albuquerque 4/3/04 (#04-90)
M-44/LPC Workshop	Las Cruces 4/7/04 (#04-78)
2004/2005 Public Applicator Certification/ Recertification	Milan 4/14/04 (#04-67)
Public Applicator Recertification Workshop	Las Vegas 4/20/04 (#04-97)
Understanding the Worker Protection Standard	Clovis 4/20/2004 (#04-98)
2004 Vector Control Course	Albuquerque 4/27-29/04 (#04-44)

May

Ornamental/Turf/Ag 7th Annual CEU Training Workshop	Albuquerque 5/19-21/2004 (#04-96)
--	--------------------------------------

PLEASE DON'T FORGET TO MAIL IN YOUR ORIGINAL CEU
CERTIFICATES TO NMDA WITHIN 10 DAYS OF THE END OF
THE WORKSHOP TO RECEIVE CREDIT!!

