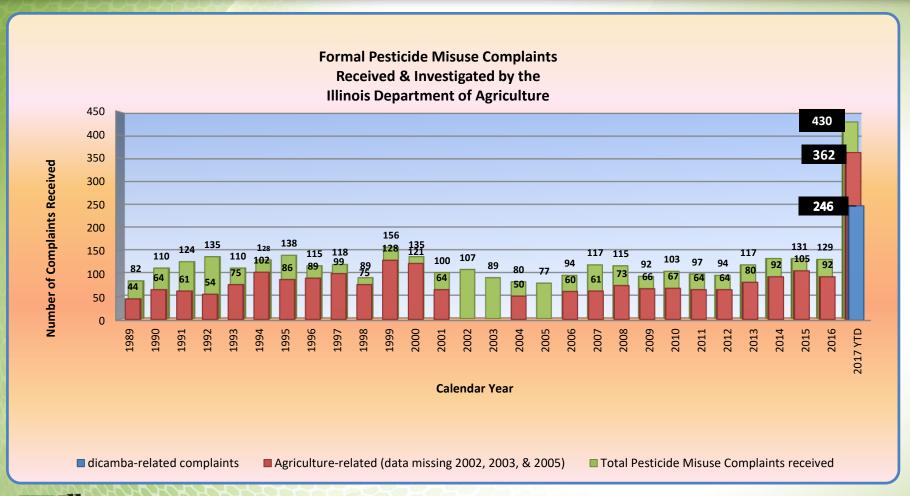
# Pesticide Misuse in 2017: An Update IFCA Convention Peoria Civic Center Peoria, IL - January 18, 2018

Doug Owens, Chief
Bureau of Environmental Programs
Illinois Department of Agriculture



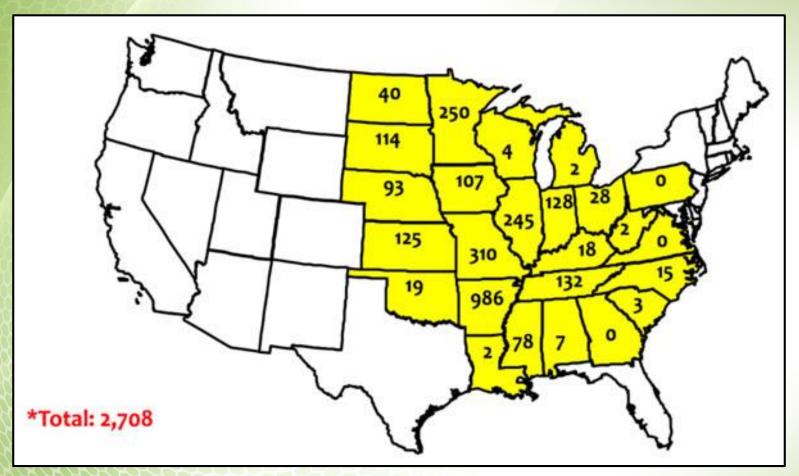


## Pesticide Misuse Complaints





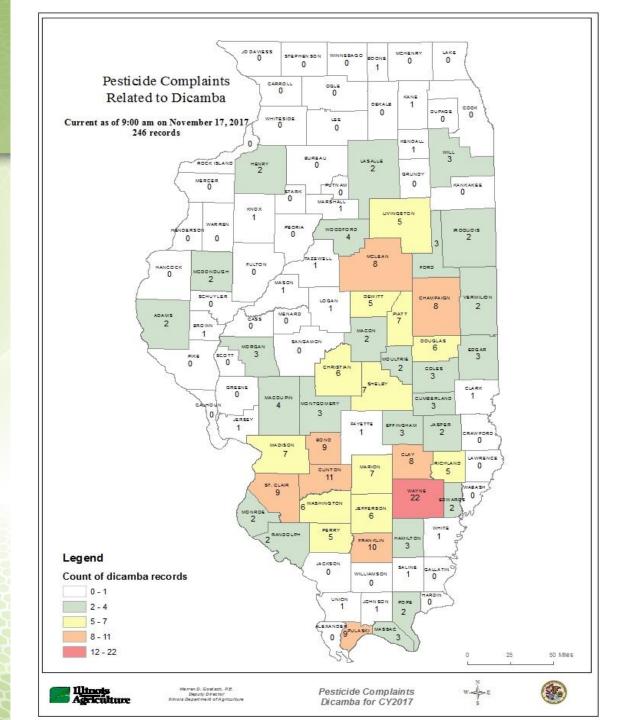
## 2017 Dicamba-related Complaints





## Dicamba

246 formal complaints received in 2017





## **2017 MISUSE COMPLAINTS SUBMITTED BY WEEK** 70 Number of Complaints received by the Department 53 53 16 14 <sub>13</sub> **Week Number**



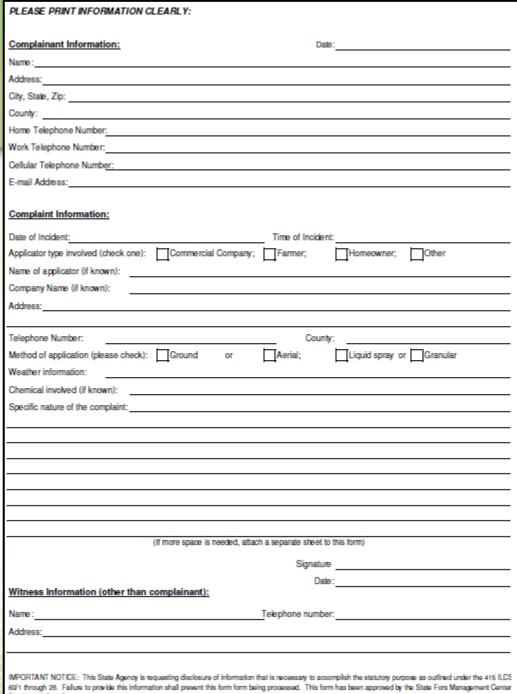
### **Misuse Case Process**

### Department receives formal complaint

- Field representative assigned
- Site visit conducted
- Complainant and respondent interviewed
- Application records checked
- Possible samples collected & lab analysis
- Report submitted to headquarters office for review
- Enforcement determination



Complaint Form





### **Misuse Case Process**

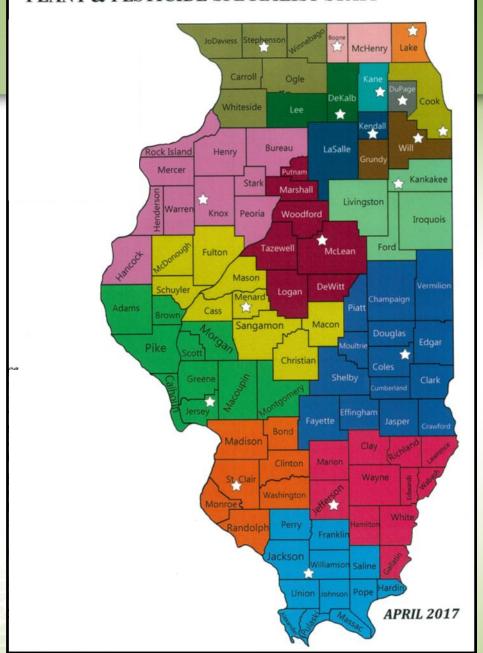
- Department receives formal complaint
- Field representative assigned
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- Field inspector assigned
  - By email
  - Attempt initial contact same day or same week



### PESTICIDE & NURSERY PROGRAMS PLANT & PESTICIDE SPECIALIST STAFF



## **Misuse Case Process**

- Department receives formal complaint
- Field representative assigned
- Site visit conducted
- Complainant and respondent interviewed
- Application records checked
- Possible samples collected & lab analysis
- Report submitted to headquarters office for review
- Enforcement determination



## Enforcement Determination – Penalty Matrix

Points assessed based on Use and Violation Criteria:

■ Harm or Loss Incurred – (1 to 6 points)

- Signal Word of Product Involved (1 to 4 points)
  - Caution(1), Warning(2), Danger(4)



## Enforcement Determination – Penalty Matrix

- Points assessed based on Use and Violation Criteria:
  - Degree of Responsibility (2 to 10 points)
    - Accidental(2), Negligence(4), Knowingly(10)
  - Violator's History for the previous three years (2 to 7 points)
  - Violation Type (application vs. product oriented) (1 to 6 points)



## Enforcement Determination – Penalty Matrix

Penalty based on assessed points:

6 or less - advisory letter

■ 7 to 13 - warning letter

**14** to 16 - \$750

■ 17 to 19 - \$1,000

■ 20 to 21 - \$2,500

**22** to 25 - \$5,000

**26** to 29 - \$7,500

■ 30 and above - \$10,000

 Formal Notice of Fine and possible administrative hearing for monetary penalties



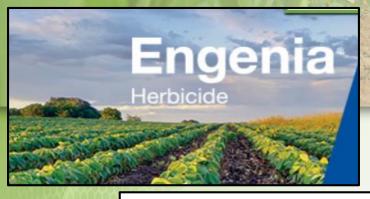
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Total Complaints Received	93	117	115	92	103	97	94	117	131	131	129	430
# of ag-related complaints	60	61	73	66	67	64	64	80	92	105	92	362
# of dicamba- related complaints												246
Cases Closed (no misuse determined)	49	65	68	57	62	51	52	72	64	47	54	79
Warning Letters Issued	23	42	32	34	36	42	40	35	63	48	61	138
Notice of Fine												10
Administrative Hearings	9	25	19	8	6	10	4	18	13	12	11	0
\$2,500 penalty	1	0	1	0	0	0	0	1	0	0	0	0
\$1,000 penalty	2	3	0	0	0	0	0	1	1	1	0	2
\$750 penalty	1	4	6	1	2	3	1	8	2	1	4	4
\$500 penalty	4	19	12	6	3	4	1	6	8	9	8	4
\$250 penalty	0	0	0	0	1	3	2	2	2	3	1	0
\$200 penalty	0	0	1	0	0	0	0	0	0	0	0	0
\$100 penalty	1	1	1	1	0	0	0	0	0	0	0	0

Agriculture





## 2017/2018 Dicamba-formulations for Soybeans and Cotton









## 2018 Dicamba label changes

- Product classification changed to "RUP" (restricted use), only allowing certified applicators with <u>dicamba specific</u> <u>training</u> to apply the 3 products;
- Expanded recordkeeping requirements;
- Elevated Susceptible Crop concerns -
  - No applications when winds blowing towards SCs,
  - Applicators must survey area for SCs before application as well as consult SC registries and document,
  - Downwind buffers required, and
  - Temperature Inversion concerns;
- Wind Speed Restrictions 3 to 10 mph (from 15) only; and
- Sprayer Cleanout Requirements



## Varied State approaches

#### Missouri

- Requiring an online notice of application form to be completed by users daily before each application is made;
- Restricting application to between 7:30 am and 5:30 pm; and
- Use cut-off date for applications by county
  - Southeast MO June 1st cut-off date
  - Balance of the state July 15<sup>th</sup> cut-off date

#### Tennessee

- Restricting application to between 7:30 am and 5:30 pm; and
- Requiring the use of hooded sprayers from July 15<sup>th</sup> through October 1<sup>st</sup>



## Varied State approaches (con't)

#### Indiana

- Expanding the list of products classified as RUPs all products with 6.5% dicamba or more classified as state RUPs; and
- Requiring specialized dicamba training to be delivered only by Indiana Extension or state-approved trainers and no reciprocity with surrounding states

#### North Dakota

- Use cut-off date of June 30th or first bloom, whichever is first;
- No applications allowed if actual field air temperature or UWS forecast is >85 degrees F;
- Restricting applications to the time period between 1-hr after sunrise to 1-hr before sunset;
- Application ground speed restricted to 12 mph or less; and
- Application nozzle limitation of 80 degrees or less.



## Varied State approaches (con't)

#### Minnesota

- Use cut-off date of June 20th; and
- No applications allowed if the actual field air temperature or the UWS forecast is >85 degrees F.

#### -Illinois

- Following the Federal Label Provisions;
- Dicamba-specific training to be provided by the 3 registrants and/or IDA-approved trainers.



The label provisions are quite extensive and must be followed if these tools are to remain available in future years.

### ENGENIA®, XTENDIMAX®, AND FEXAPAN® APPLICATION QUICK GUIDE Always read and follow all product labels.



#### L/\_





### **•**

#### TRAINING

Everyone who makes applications must attend dicamba-specific, state-approved training.

#### RECORD KEEPING

- You must keep more than Just RUP application records.
- You must record temperature, wind speed, and direction before and after each application for each field.

#### SUSCEPTIBLE CROPS

- You must consult DriftWatch before each application.
- You must scout adjacent and neighboring fields for sensitive/susceptible crops (DriftWatch doesn't map non-DT soybeans).

#### NOZZLES

Only use the nozzles specified on the products' websites.



#### TANK MIX PARTNERS

Only tank mix with products listed on the products' websites including adjuvants.



#### REQUIRED PPE

Long-sleeved shirt, pants, shoes, socks, and waterproof gloves.



#### GROUND SPEED

- Never exceed 15 mph ground speed.
- 5 mph recommended in downwind field edges.



#### **BOOM HEIGHT**

Set spray booms above the canopy 24 Inches or less.



#### SETBACKS

Do not mix these products within 50 feet of wells, sinkholes, streams, and rivers (some exception for impervious pads).



#### **APPLICATION TIMING**

Only apply between sunrise and sunset.



#### **TEMPERATURE**

Do not apply if a temperature inversion exists.



#### RAIN

Do not apply if rain is predicted (51% chance or greater) within 24 hours.



#### WIND SPEED

- Apply only when wind speeds are 3-10 mph, including gusts.
- You cannot apply at all when the wind is blowing toward a neighboring sensitive crop.



#### SPRAYER CLEANING

Clean all traces of AMS from equipment before application, and clean all traces of dicamba from equipment after application according to label directions.



#### **SPRAY VOLUMES**

- Minimum spray solution per acre:
- BASF Engenia® 10 gallons

Reference in this publication to any specific commercial product, process,

or service, or the use of any trade, firm, or corporation name is for general

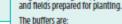
recommendation, or certification of any kind by Purdue Extension or Office of

Indiana State Chemist, Individuals using such products assume responsibility

Informational purposes only and does not constitute an endorsement,

for their use in accordance with current directions of the manufacturer.

Monsanto Xtendimax® — 15 gallons
 DuPont FeXapan® — 15 gallons



BASF Engenia\* — 110 feet

Monsanto Xtendimax\* — 110 or

You must always maintain a

downwind buffer in your field

except when next to DT beans, corn,

sorghum, small grains, proso millet,

220 feet (depending on rate)

DuPont FeXapan\* — 110 or 220
feet (depending on rate)





Dec 2017 An equal access/equal opportunity university.

Following the label, including compliance with the recordkeeping requirements will be very important in 2018!



#### Required Records for Engenia, Xtendimax, FeXapan Applications

rsonal information			
me & license number of certified applicator			
me (and RT number if applicable) of person making application different from above)			
camba training (mm/dd/yy, dty, CCH or PARP number)			
e-application	Date(s) (mm/dd/yy)		
ecked DriftWatch for nearby sensitive sites/crops			
ecked registrant website for tank-mix partners			
camba purchase (include the receipt)			
rayer cleaned of all traces of AMS			
pplication			
te (mm/dd/yy)			
rget crop			
eld location/description			
eld size			
e- or post-emergent (circle one)	O Pre-emergent O P	ost-emergent	
te crop planted (mm/dd/yy)			
t all pesticide trade names applied idude EPA registration numbers)			
t all adjuvant trade names			
wnwfnd buffer (circle one)	100% my fieldft. in my field +ft.  in adjacent property	100% adjacent property	
oplication Weather Conditions			
	Start of Application	End of Application	
ne			
mperature at boom height			
erage wind speed over 2-minute span, facing wind at boom height			
erage wind direction over 2-minute span -360 degrees preferred over N, S, SW, etc.)			
ethod or equipment used to measure weather			
ost-application			
te sprayer cleaned of all dicamba residue (mm/dd/yy)			
eanout method according to label directions			

#### Websites

BASF Engenia® Herbicide Tank Mix: www.engeniatankmix.com

Monsanto Xtendimax® Application Requirements: www.xtendimaxapplicationrequirements.com

DuPont FeXapan® Application Requirements: www.fexapanapplicationrequirements.dupont.com

DriftWatch: driftwatch.org

Office of Indiana State Chemist Dicamba Update (downloadable PDF available here): www.oisc.purdue.edu/pesticide/dicamba.html

## Remember

### **Visit**

https://ifca.com/IllinoisDicambaTraining

for training dates and locations.



## Pesticide Licensing Changes for 2018 and beyond

- **Commercial, Commercial Not-for-hire applicator and operator licenses as well as dealer registrations** going from three year test(s) and one year license to three year test(s) and three year license (reciprocity-based licenses remain one-year).
- 2018 calendar year to be a transition period
  - One year license renewal for licensees with General Standards Exams (either General Standards or Aerial General Standards) effective for 2016, 2017 & 2018
  - Two year license renewal for licensees with General Standards Exams (either General Standards or Aerial General Standards) effective for 2017, 2018 & 2019
  - Three year license for candidates successfully completing General Standards Exams and associated category exams (if needed) effective for 2018, 2019 & 2020



## Pesticide Licensing Changes for 2018 and beyond

#### Category Exam effective periods --

- All exam effective periods to be synchronized with General Standards and Aerial General Standards exam (GS exam) effective periods
- Effective period of category exams which expire prior to the companion GS exam will be extended to match with the GS exam effective period
- Effective period of category exams which expire after the companion GS exam will be reduced to match with the GS exam effective period
- Going forward, effective periods of all exams (GS exams and category exams) will expire on the associated license expiration date



## Pesticide Licensing Changes for 2018 and beyond

- All license fee rates to remain the same
- However, the new 3-year license will be 3x the old 1-year rate. (For example, the old Commercial Applicator 1year license fee was \$60 while the new 3-year license fee will be \$180.)
- On-line credit card payment option to be offered with the update of the Department's pesticide data management system coming soon.



## More Information?

- www.agr.state.il.us
- Illinois Pesticide Act
  - (415 ILCS 60/1 et. seq)
- ■IDA Environmental Programs
  - **217-785-2427**

