



2008
**INDIANA PESTICIDE CONTROL
SUMMARY REPORT of ACTIVITIES**

Dave Scott
Pesticide Administrator

www.isco.purdue.edu

Office of
Indiana State Chemist & Seed Commissioner

MISSION: The pesticide section of the Office of Indiana State Chemist (OISC) is charged with administration of the Indiana Pesticide Registration Law (I.C. 15-16-4), the Indiana Pesticide Use and Application Law (I.C.15-16-5), and also represents the Environmental Protection Agency (US EPA) in Indiana for the purpose of enforcing federal pesticide law. The mission of OISC under these laws is to protect Indiana citizens and the environment from hazardous, ineffective and improperly formulated and labeled pesticide products and devices and to protect citizens and the environment from excessive and unacceptable pesticide exposure by unqualified users.

STAFF: Twenty four full time employees carry out the mission of the Pesticide Section. This number includes 7 field staff to perform complaint investigations and field compliance activities, 8 laboratory chemists and technicians to analyze environmental and product samples collected as part of the investigations and routine inspections, 5 program managers and 4 clerical staff.

PRODUCT REGISTRATION: 14,713 pesticide products were registered by manufacturers or formulators for sale and distribution. This total exceeds the 2008 average of 12,348 registered products by our neighboring Midwestern states. This is a direct indication of OISC's commitment to insure a level regulatory playing field for all pesticide distributors doing business in Indiana. The pesticide staff worked successfully with the Purdue University Cooperative Extension Service to secure special product registrations for Indiana growers for previously unavailable products to control Emerald Ash Borer in trees, corn earworm in sweet corn, and disease in tobacco. Each of these special registrations included detailed OISC risk assessments for the protection of endangered species. In addition, OISC staff continued to serve as part of a small group of state leaders working with US EPA on current efforts to improve federal pesticide labels.

CERTIFICATION & CREDENTIALING: OISC issued 27,795 total pesticide credentials. This included 2686 licensed pesticide application businesses, 5795 for-hire applicators working at those businesses, 924 applicators working for not-for-hire businesses, 1202 government applicators, 2556 registered technician applicators, 536 restricted use pesticide dealers, 323 consultant retailer businesses, and 13,773 certified farmer applicators. The agency also created a voluntary e-mail notification listing to allow all pesticide applicators the opportunity to get timely no cost e-mail reminders regarding regulatory deadlines, etc. OISC continued to offer Indiana pesticide applicator competency exams on a monthly schedule at Purdue and through an exam contractor at seven locations around the state and at hundreds of locations nationwide on a daily basis. This nationally unique service has enabled hundreds of out of state applicators to become licensed in a convenient and timely manner prior to coming to Indiana to respond to the recent increase in spray services demand.

COMPLIANCE & ENFORCEMENT: Pesticide staff investigated 188 complaint cases and conducted 1361 routine compliance inspections. Those cases involved the laboratory analysis of 377 environmental residue samples and 162 product integrity samples. The 377 environmental samples exceed the previous high of 291 in 2005. The increase is the direct result of the significantly high number of aerial drift complaints (19) involving allegations of direct human exposure (16), resulting in 13 enforcement actions. In all, there were 145 formal violation cases, including 111 written warnings/citations, 50 civil penalties, and 9 credential suspensions. Of the 162 product integrity samples collected, 9 (5.5%) were adulterated and 4 (2.5%) were incorrectly labeled. Routine inspections included the targeting of new businesses to address initial compliance questions and the targeting of lawn care applicators to ensure that fertilizer/pesticide granules were not misapplied onto non-target areas that could result in water contamination. During 2008 fewer than 6% of the enforcement actions involved repeat violators. Follow-up or compliance assurance inspections were performed in 93% of the violation cases to ensure that the non-compliant behavior had been corrected.

TRAINING, OUTREACH & COMPLIANCE ASSISTANCE: OISC participated in over 56 formal training and outreach programs to assist and communicate with regulated industries. OISC joined with US EPA to conduct a Pesticide Clean Sweep Project, collecting over 15,500 pounds of hazardous waste pesticides from commercial applicators and farmers at little or no cost to the participants. Pesticide staff worked cooperatively with Indiana apiary, tomato, grape, vegetable, and organic grower groups, state agencies, the pesticide applicator community, and the Purdue Ag School to develop an interactive web site ("Be Aware") to identify and protect sensitive crops and areas at risk from pesticide applications.

INDIANA PESTICIDE REVIEW BOARD: Created in IC 15-16-4-42, this is a twenty-member board appointed by the Governor to develop pesticide policy and regulations and to serve in the formal appeal process for those who might be aggrieved of enforcement actions by OISC. Its members include scientists, government officials, conservationists, industry representatives and a public representative. In 2008 the Board drafted rules detailing applicator recertification procedures, prohibiting open burning of pesticide containers, allowing use of service containers by applicators, and requiring certification of pesticide applicators at golf courses and at facilities that house children. In addition, the Board finalized guidance on notification prior to community-wide mosquito control applications and studied the impact of both recent increase in aerial fungicide applications to corn in Indiana and the emergence of new agronomic seed technologies that may lead to an increase in the application of some herbicides that could significantly impact tomato, grape, and other sensitive crop industries in the state.